



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Amacon-Onni Management Inc.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC FF

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A hearing by telephone conference was held on May 24, 2019. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "*Act*"):

- cancellation of the Landlord's 1 Month Notice to End Tenancy for Cause (the Notice) pursuant to section 47

Both parties attended the hearing and provided testimony. All parties were provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Preliminary Matters

The Landlord and the Tenant attended the hearing and stated that they have resolved the issue that was behind the Notice. Both parties agreed to the withdrawal of the Notice, issued on March 26, 2019. As such, I dismiss the Tenant's application to cancel the Notice, without leave to reapply. The Notice issued on March 26, 2019, is of no force or effect.

Further, section 72 of the *Act* gives me authority to order the repayment of a fee for an application for dispute resolution. However, since the merits of the Notice were not discussed, I decline to award the full amount of the recovery of the filing fee. I order the

parties to split the filing fee paid. The Tenant may deduct \$50.00 from 1 (one) future rent payment.

Conclusion

I dismiss the Tenant's application, without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: May 27, 2019

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Residential Tenancy Branch