



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding HARRON INVESTMENTS INC
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL-4M, FFT

Introduction and Preliminary Matters

This hearing was convened as a result of an Application for Dispute Resolution (“application”) by the tenants of six different rental units in the same building, which have been joined together under the *Act* to be heard together in one hearing. The tenants are seeking remedy under the *Residential Tenancy Act* (“*Act*”) to cancel a 4 Month Notice to End Tenancy for Demolition, Renovation, Repair, or Conversion of Rental Unit dated February 25, 2019 (“4 Month Notice”), and to recover the cost of the filing fee. I note that all applicants paid a filing fee, except for the JS of unit 212, which received a fee waiver. I will address the applicant filing fees later in this decision.

An agent for the landlord (“agent”) and tenants JC (210), JJ (312), advocate PD (“advocate”) (310 and 301), NS (107) and JS (212) attended the teleconference hearing. At the outset of the hearing, the agent stated that the landlord has decided to withdraw the 4 Month Notice. The tenants and advocate did not object to the landlord agent withdrawing the 4 Month Notice. As a result, I find the 4 Month Notice is withdrawn in full and is of no force or effect.

Given the above, I find this matter is now moot as the 4 Month Notice has been withdrawn in full by the agent for the landlord.

The tenancies for all applicant tenants shall continue until ended in accordance with the *Act*.

The parties confirmed their email addresses. The parties were advised that the decision will be emailed to all parties.

As the 4 Month Notice was not withdrawn until the hearing, I grant all respondents a \$100.00 rent reduction from a future months’ rent on a one-time basis, in full satisfaction

of the recovery of the cost of the filing fee pursuant to section 72 of the *Act*, except for JS (212). I note that JS received a fee waiver and is not entitled to a \$100.00 rent reduction as a result.

Conclusion

The tenants' application is now moot as the landlord has withdrawn the 4 Month Notice. As a result, the tenancies for all applicant tenants shall continue until ended in accordance with the *Act*.

I find there is no need to consider the merits of the 4 Month Notice as the 4 Month Notice was withdrawn by the landlord and without objection from the applicant tenants. The 4 Month Notice is of no force or effect.

All tenants, except for JS (212), have been granted a one-time rent reduction from a future months' rent in full satisfaction of the recovery of the cost of the filing fee under section 72 of the *Act* as noted above.

This decision will be emailed to all parties as noted above.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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 10, 2019

Residential Tenancy Branch