



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNC, FFT

Introduction:

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel the one month Notice to End Tenancy dated April 3, 2019
- b. An order to recover the cost of the filing fee.

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the one month Notice to End Tenancy was sufficiently served on the Tenant(s) on April 3, 2019. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by the Tenant(s) was personally served on the landlord on April 12, 2019. With respect to each of the applicant's claims I find as follows:

Issues to be Decided:

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated April 3, 2019?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence:

The tenancy began on June 1, 2017. The tenancy agreement provided that the tenant(s) would pay rent of \$850 per month payable in advance on the first day of each month.

The tenants vacated the rental unit at the end of April. They removed their belongings on April 28, 2019 and returned the keys on May 1, 2019.

Determination and Orders:

The tenants stated that as they have vacated the rental unit they wished to withdraw their application to cancel the Notice to End Tenancy.

As a result I ordered that the tenants' application be dismissed as withdrawn. The tenants have vacated the rental unit and it is not necessary to issue an Order of Possession.

This decision is final and binding on the parties.

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

Residential Tenancy Branch