



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL-4M, MNDCT, FFT

Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act"). The tenants applied to cancel a 4 Month Notice to End Tenancy for Demolition, Renovation, Repair or Conversion of Rental Unit dated March 21, 2019 ("4 Month Notice"), for a monetary order of \$432.00 for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenants and the landlord attended the teleconference hearing. The parties were introduced and affirmed. The hearing process was explained to the parties. Once I dealt with the Preliminary and Procedural Matter described below, the tenants confirmed that they would be vacating on Friday, and since filing their application, have decided to accept the 4 Month Notice and vacate the rental unit. As a result, the tenants requested to withdraw their application in full and without any opposition from the landlord, the parties were advised that I would not be considering the merits of the application as this matter has now been withdrawn.

This decision does not extend any applicable time limits under the *Act*. As the tenants' withdrew their application I do not grant the recovery of the cost of the filing fee.

Preliminary and Procedural Matters

Rule 2.3 of the Residential Tenancy Branch ("RTB") Rules of Procedure ("Rules") authorizes me to dismiss unrelated disputes contained in a single application. In this circumstance the tenants indicated several matters of dispute on the application, the most urgent of which is the application to cancel the 4 Month Notice. I find that not all the claims on the application are sufficiently related to be determined during this proceeding. I will, therefore, only consider the tenants' request to cancel the 4 Month

Notice and the tenants' application to recover the cost of the filing fee at this proceeding. The balance of the tenants' application is dismissed, with leave to re-apply.

The email addresses for the parties were confirmed during the hearing. The decision will be sent by email to the parties accordingly.

Conclusion

The tenants have decided to accept the 4 Month Notice from the landlord and the compensation that comes with a 4 Month Notice under the *Act*. The tenants' have withdrawn their application as a result.

This decision does not extend any applicable time limits under the *Act*.

The filing fee is not granted as the application was withdrawn at the hearing.

This decision will be emailed to both parties.

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 28, 2019

Residential Tenancy Branch