



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenants' application pursuant to section 47 of the *Residential Tenancy Act* (the *Act*) for cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice).

The landlords did not attend this hearing, although I left the teleconference hearing connection open until 11:10 a.m. in order to enable them to call into this teleconference hearing scheduled for 11:00 a.m. The tenants attended the hearing and were given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the tenants and I were the only ones who had called into this teleconference.

The tenants provided written evidence and sworn testimony that they sent the landlords a copy of their dispute resolution hearing package by Canada Post's ExpressPost service on March 27, 2019. They provided the Canada Post Tracking Number to confirm this mailing. I find that the landlords were deemed served with this package in accordance with sections 89 and 90 of the *Act* on the fifth day after their mailing.

At the beginning of the hearing, the tenants advised that they had received a 10 Day Notice to End Tenancy for Unpaid Rent subsequent to receiving the 1 Month Notice. They said that they moved out of the rental unit on April 18, 2019. On this basis, the tenants withdrew their application to cancel the 1 Month Notice. The application to cancel the 1 Month Notice is hereby withdrawn.

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 07, 2019

Residential Tenancy Branch