



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC Housing
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MT, CNC

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order allowing more time to make an application to cancel a notice to end tenancy - Section 66; and
2. An Order cancelling a notice to end tenancy - Section 46.

The Landlord did not attend the hearing. I accept the Tenant’s evidence that the Landlord was served with the application for dispute resolution and notice of hearing (the “Materials”) by registered mail on July 19, 2019 in accordance with Section 89 of the Act. Section 90 of the Act provides that a document served in accordance with section 89 of the Act is deemed to be received if given or served by mail, on the 5th day after it is mailed. Given the evidence of registered mail I find that the Landlord is deemed to have received the Materials on July 24, 2019.

The Tenant was given full opportunity to be heard, to present evidence and to make submissions. The Tenant states that the unit has been vacated as of September 8, 2019, that the Landlord was informed of the move-out and that the keys to the unit were returned to the Landlord. The Tenant withdraws the application.

Given the Tenant’s undisputed evidence of the end of the tenancy and as the Landlord has not attended this hearing I accept the withdrawal of the Tenant’s application. This matter is concluded.

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

Dated: September 20, 2019

Residential Tenancy Branch