



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Devon Properties Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing was set for 9:30 a.m. on this date, via teleconference call, to deal with a tenant's application to cancel a 1 Month Notice to End Tenancy for Cause ("1 Month Notice") dated July 10, 2019 to be effective August 31, 2019. The landlord's agent appeared for the hearing; however, there was no appearance on part of the tenant despite leaving the teleconference call open until 9:40 a.m. to give the tenant the opportunity to appear.

The landlord submitted that the landlord withdrew the 1 Month Notice by way of a letter given to the tenant, in person, on September 3, 2019 and uploaded to the Residential Tenancy Branch as evidence for this proceeding. The letter indicates the landlord was withdrawing the 1 Month Notice that was to be effective August 31, 2019 and reinstating the tenancy for the time being.

The landlord confirmed the tenant continues to occupy the rental unit and paid rent for September 2019. As such, I accept the tenant was also in agreement with withdrawal of the 1 Month Notice dated July 10, 2019 and re-instatement of the tenancy.

Since the tenant failed to appear for this hearing and it appears the tenancy was reinstated by mutual consent, I dismiss this application and I do not provide an Order of Possession to the landlord.

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: September 24, 2019

Residential Tenancy Branch