



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR FFT MNDCT OLC**

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "**Act**") for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the "**Notice**") pursuant to section 46;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement in the amount of \$365.00 pursuant to section 67; and
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Only the tenant attended the hearing. At the outset of the hearing she advised me that she had already vacated the rental unit and wanted to withdraw her application.

Rule of Procedure 5.0.1 states that "where a tenant has applied to dispute a landlord's notice to end tenancy, the applicant tenant requires the written consent of the landlord to withdraw their application." The tenant did not provide such written consent.

At the hearing, I advised the tenant of this requirement. I stated that I could dismiss her claim, without leave to reapply, however, as that does not require the consent of the landlord. She consented to this course of action.

Accordingly, I dismiss the tenant's application in its entirety.

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 06, 2019

Residential Tenancy Branch