



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Pemberton Holmes Property Management
Ltd. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OLC, RP

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act") for an order directing the landlord to comply with the Act, regulation or tenancy agreement, and for an order for regular repairs.

The Tenant and an agent for the Landlord (the "Agent") appeared at the teleconference hearing and gave affirmed testimony. I explained the hearing process to the Parties and gave them an opportunity to ask questions about the hearing process. During the hearing the Tenant and the Landlord were given the opportunity to provide their evidence orally and to respond to the testimony of the other Party. I reviewed all oral and written evidence before me that met the requirements of the Residential Tenancy Branch Rules of Procedure ("Rules"); however, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Neither Party raised any concerns regarding the service of the Application for Dispute Resolution or the documentary evidence back and forth.

Preliminary and Procedural Matters

The Parties provided their email addresses at the outset of the hearing and confirmed their understanding that the Decision would be emailed to both Parties and any orders sent to the appropriate Party.

The Parties agreed that the tenancy ended on July 31, 2019 at 1:00 p.m. when the Tenant moved out, based on a Mutual Agreement to End a Tenancy of the Parties dated June 30, 2019 ("Mutual Agreement"). Essentially, the Tenant attended the

hearing to withdraw his Application and to confirm that there were no outstanding issues between the Parties.

The Agent said that the Tenant does not owe the Landlord any fees, charges, penalties or liquidated damages and that the tenancy has completely ended, as far as the Landlord is concerned.

Based on the documentary evidence and testimony before me, I find that the Parties have agreed to end the tenancy and all matters are now resolved between the Parties.

Accordingly, there are no issues for me to resolve on the Parties' behalf. I find pursuant to Rule 5.0.1 that the Tenant has withdrawn his Application. Based on the documentary evidence and testimony of the Agent, including the Mutual Agreement, I find that I may grant the Tenant's request to withdraw this Application, and confirm that the Parties no longer have any issues between them for dispute resolution.

Conclusion

I hereby grant the Tenant's request to withdraw his Application for dispute resolution and confirm that the Parties have no further issues outstanding relating to this tenancy.

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: October 01, 2019

Residential Tenancy Branch