



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes            CNC, RP, FF

### Introduction

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

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47;
- an order to the landlord to make repairs to the rental unit pursuant to section 32;
- authorization to recover their filing fee for this application from the landlord pursuant to section 72.

The tenant, T.G. attended the hearing via conference call and provided undisputed testimony. The tenant, D.C. did not attend and was unrepresented. The landlord did not attend. Neither party submitted any documentary evidence. The tenant, T.G. (the tenant) stated that the landlord was served in person with the notice of hearing package in person at the rental unit.

At the outset, the tenant stated that she was illegally evicted on October 5, 2019 by the landlord and is now living with friends. The tenant was questioned that in the circumstances if she wished to proceed with the application. The tenant responded that there was no point as she does not want to move back in to reside at the rental property. The tenant stated that she did wish to apply for an order of possession. As such, the tenant's application is considered cancelled and the merits of the issues were not addressed. I note for the record that a copy of the 1 month notice was not submitted by the tenant.

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 25, 2019

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Residential Tenancy Branch