



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL – 4M

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. The participatory hearing was held, by teleconference, on October 15, 2019. The Tenants applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- to cancel a 4-Month Notice to End Tenancy for Demolition, Renovation, or Conversion to Another Use (the Notice).

Both parties attended the hearing and were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Preliminary Matters

The Landlords issued the Notice because they believed they had to convert the barn/carriage house from living space back to non-residential space, as per zoning/municipal requirements. However, the Landlords do not need an order of possession at this time, because it is their understanding that they are grandfathered in and are allowed to keep the carriage house as a rental unit.

At the hearing, both parties confirmed that they want to withdraw the Notice to End Tenancy, issued in July of 2019. Both parties confirmed that this application will be withdrawn, in full, along with the Notice to End Tenancy.

Given this, I accept the withdrawal of the Notice, and the application to cancel the Notice before me is dismissed, without leave.

Conclusion

The Notice issued on July 24 of 2019, is withdrawn and is of no force or effect. I dismiss the Tenants' application without leave to reapply.

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 15, 2019

Residential Tenancy Branch