



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PENTICTON KIWANIS HOUSING SOCIETY  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for an order to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities pursuant to section 46.

The landlord's representative, DB attended the hearing at 11:00 a.m. and disconnected at 11:02 a.m. The tenant called in at 11:02 a.m., just as the arbitrator was hanging up. Each party was advised that I received their joint notice to withdraw the tenant's application (see below) and I was prepared to do so.

### Preliminary Issue

On January 9, 2020, the landlord and the tenant signed a letter addressed to the Residential Tenancy Branch. The letter reads:

*We advise that the dispute between the above mentioned parties and that was to have been the subject of the hearing set for 11:00 A.M. on January 13, 2020 has been resolved to the satisfaction of both parties. As such, both parties request that the scheduled hearing be cancelled.*

*We appreciate your assistance in this matter.*

*Signed [tenant] January 9, 2020*

*Signed [landlord] January 9, 2020*

Rule 5.0.1 states:

**Withdrawing an application to dispute a notice to end tenancy**

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.

Required documents: • the respondent landlord's written consent to the withdrawal.

I find the parties have complied with Rule 5.0.1 and the application is withdrawn.

Conclusion

The tenant's application is withdrawn in accordance with Rule 5.0.1 of the Residential Tenancy Branch Rules of Procedure.

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: January 13, 2020

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Residential Tenancy Branch