



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1222424 B.C. LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FFT

Introduction

On December 2, 2019, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to Section 47 of the *Residential Tenancy Act* (the “Act”) and seeking to recover the filing fee pursuant to Section 72 of the *Act*.

The Tenant attended the hearing and L.F. attended the hearing as an agent for the Landlord. All in attendance provided a solemn affirmation.

The Tenant advised that she wished to have the Application withdrawn in full. The Landlord had no objections to this but still wanted an Order of Possession. The Tenant understood and was not opposed as she would be vacating the rental unit by January 31, 2020 anyways.

Preliminary and Procedural Matters

I find that the Tenant’s request to withdraw the Application in full does not prejudice the Landlord. Therefore, the Tenant’s request to withdraw the Application in full was granted. I note this decision does not extend any applicable timelines under the *Act*.

I have reviewed the Landlord’s One Month Notice to End Tenancy for Cause to ensure that the Landlord has complied with the requirements as to the form and content of Section 52 of the *Act*. I am satisfied that the Notice meets all of the requirements of Section 52.

As a One Month Notice to End Tenancy for Cause was served, as the Application to dispute the Notice was withdrawn, and as the Landlord's Notice is valid, I uphold the Notice and find that the Landlord is entitled to an Order of Possession pursuant to Sections 47 and 55 of the *Act*.

As the Tenant was not successful in this Application, I find that the Tenant is not entitled to recover the \$100.00 filing fee paid for this Application.

Conclusion

The Tenant has withdrawn her Application in full and her Application is consequently dismissed.

The Landlord is provided with a formal copy of an Order of Possession effective at **1:00 PM on January 31, 2020 after service of this Order** on the Tenant. Should the Tenant or any occupant on the premises fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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 27, 2020

Residential Tenancy Branch