



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding YWL GLOBAL INVESTMENT CONSULTING &
EDUCATION and [tenant name suppressed to protect privacy]

DECISION

<u>Dispute Codes</u>	Landlord:	OPE FF
	Tenant:	CNC

This hearing dealt with cross Applications for Dispute Resolution filed by the parties under the *Residential Tenancy Act* (the “*Act*”).

The Landlord’s Application for Dispute Resolution was made on January 31, 2019 (the “Landlord’s Application”). The Landlord applied for the following relief, pursuant to the *Act*:

- an order of possession based on a One Month Notice to End Tenancy for Cause, dated December 27, 2019 (the “One Month Notice”); and
- an order granting recovery of the filing fee.

The Tenant’s Application for Dispute Resolution was made on January 5, 2020 (the “Tenant’s Application”). The Tenant applied for an order cancelling a cancelling the One Month Notice, pursuant to the *Act*.

This matter was set for hearing by telephone conference call at 9:30 A.M. on March 12, 2020. The line remained open while the phone system was monitored for 14 minutes and the only participant who called into the hearing during this time was the Tenant who was accompanied by E.T. Therefore, as a representative of the Landlord did not attend the hearing to provide evidence in support of the One Month Notice, and the Tenant appeared and was ready to proceed, I dismiss the Landlord’s Application without leave to reapply. Further, I find that the One Month Notice is cancelled and is of no force or effect. The tenancy will continue until otherwise ended in accordance with the *Act*.

As the Tenant has been successful, I find the Tenant is entitled to recover the filing fee paid to make the Tenant’s Application. I order that the Tenant may retain \$100.00 from a future rent payment at the Tenant’s discretion.

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: March 12, 2020

Residential Tenancy Branch