



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 1222356 B.C. LTD.  
and [tenant name suppressed to protect  
privacy]

## **DECISION**

Dispute Codes MT, CNL, FF

### Introduction

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

- more time to make an application to cancel the landlord's 4 Month Notice to End Tenancy convert the rental unit to a non-residential use (the 4 Month Notice) pursuant to section 66;
- cancellation of the landlord's 4 Month Notice to End Tenancy to convert the rental unit to a non-residential use (the 4 Month Notice) pursuant to section 49;
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing via conference call and provided affirmed testimony.

At the outset, both parties confirmed the landlord had cancelled the 4 month notice to end tenancy to convert the rental unit to a non-residential use. As such, the tenants confirmed that their request for more time (MT) and an order cancelling the 4 month notice (CNL-4M) were being cancelled. Both parties confirmed that the remaining issue of the tenants' request to cancel a 2 month notice to end tenancy for landlord's use (CNL-2M) and the request for recovery of the filing fee would proceed.

Some discussions were made regarding a possible settlement, but that no resolution was reached.

Counsel stated that instructions from the landlord are that the landlord is no longer proceeding with the 2 month notice dated December 20, 2019 and was being cancelled. As such, all parties confirmed their understanding that the tenants' application to cancel the 2 month notice has been successful and are as such entitled to recovery of the \$100.00 filing fee.

I grant a monetary order for \$100.00 to the tenants for recovery of the filing fee.

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 06, 2020

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Residential Tenancy Branch