



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes

For the tenant: CNC, MNDC, RR, OLC, FF  
For the landlord: OPC, FF (both landlord files)

### Introduction, Preliminary and Procedural Matters-

This hearing was convened as the result of the various applications of the parties for dispute resolution seeking remedy under the Residential Tenancy Act (Act).

The tenant, AM, applied for the following:

- an order cancelling the One Month Notice to End Tenancy for Cause (Notice) issued by the landlord;
- an order requiring the landlords to comply with the Act, regulations, or tenancy agreement;
- a reduction in monthly rent;
- compensation for a monetary loss or other money owed; and
- recovery of the filing fee.

The landlord made an application against tenant, AM, seeking the following:

- an order of possession of the rental unit pursuant to the Notice served to the tenant; and
- to recover the cost of the filing fee.

The landlord also filed a separate application against tenant, SEE, seeking the following:

- an order of possession of the rental unit pursuant to the Notice served to the tenant; and
- to recover the cost of the filing fee.

The evidence shows and the parties confirmed that the tenants named in the landlord's applications were tenants in common and not joint tenants and both were served separate Notices to end their individual tenancies.

Despite the individual and separate tenancies and Notices, the application by the landlord against tenant SEE was administratively made *another* cross application to the application of tenant AM.

In spite of this, I proceeded with the hearing on all three applications. I note that SEE did not attend the hearing.

At the outset of the hearing the tenant's agent confirmed that the matter had been resolved as the tenant, AM, has vacated the rental unit, as of September 30, 2020. The agent requested a withdrawal of the application.

The landlord's agent confirmed that the tenant, AM, had vacated and the tenancy was over.

The landlord's agent also confirmed that tenant SEE has vacated the other rental unit and that tenancy was over.

The landlord's agent confirmed that they want to withdraw both applications.

The tenant withdrew his application and the landlord withdrew the notices to end tenancy.

As no further action is required on these files, the three files are closed.

As I did not consider the merits of the Notices or the tenant's and landlord's applications, I decline to award either party 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: October 19, 2020

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Residential Tenancy Branch