



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Devon Properties Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC-MT, OLC, FFT

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on November 27, 2020 (the "Application"). The Tenant applied for more time to extend the time limit established by the *Residential Tenancy Act* (the "Act") to make an Application for dispute resolution to obtain an order cancelling a One Month Notice to End Tenancy for Cause, dated October 23, 2020 (the "One Month Notice"), an order that the Landlord comply with the *Act*, and for the return of the filing fee, pursuant to the *Act*.

This matter was set for hearing by telephone conference call at 9:30 A.M. (Pacific Time) on February 19, 2021. Only the Landlord's Agent attended the hearing at the appointed date and time. No one attended the hearing for the Applicant. The line remained open while the phone system was monitored for ten minutes and no one called into the hearing for the Tenant during this time. Therefore, no one attended the hearing for the Applicant by 9:40 A.M., I dismiss their claims without leave to reapply.

At the start of the hearing, the Landlord's Agent stated that the parties had come to a mutual agreement prior to the hearing. As such, the Landlord is no longer seeking an Order of possession based on the One Month Notice dated October 23, 2020 and has withdrawn the One Month Notice. The Landlord's Agent stated that the parties have agreed to continue the tenancy.

Conclusion

No one appeared at the hearing for the Tenant. As such, their Application is dismissed without leave to reapply. The Landlord has withdrawn the One Month Notice to End Tenancy dated October 23, 2020. The tenancy will continue until it is ended in accordance with the *Act*.

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: February 19, 2021

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Residential Tenancy Branch