



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution filed by the Tenant on April 01, 2021 (the “Application”). The Tenant applied to dispute a One Month Notice to End Tenancy for Cause (the “Notice”).

The Tenant attended the hearing with the Advocate. Nobody attended the hearing for the Landlord.

The Advocate advised at the outset that the Tenant moved out of the rental unit July 14, 2021. Given this, I addressed service of the hearing package and Tenant’s evidence. The Advocate and Tenant provided affirmed testimony.

The Advocate testified that the hearing package and Tenant’s evidence were sent to the Landlord at their residence on April 06, 2021 and confirmed Tracking Number 1 relates to this. The Tenant had submitted the registered mail receipt. I looked Tracking Number 1 up on the Canada Post website which shows the package was delivered April 08, 2021.

Based on the undisputed testimony of the Advocate, documentary evidence of service and Canada Post website information, I was satisfied the Landlord was served with the hearing package and Tenant’s evidence in accordance with sections 88(c) and 89(1)(c) of the *Residential Tenancy Act* (the “Act”). Based on the Canada Post website information, I was satisfied the Landlord received the hearing package and Tenant’s evidence on April 08, 2021. I was satisfied the Tenant complied with rule 3.1 of the Rules of Procedure in relation to the timing of service.

The hearing proceeded for 12 minutes and the Landlord did not call into the hearing during this time.

I asked the Advocate if the Tenant wanted to proceed with the Application or withdraw the Application and the Advocate confirmed the Tenant wanted to withdraw the Application.

I allowed the Tenant to withdraw the Application given the Advocate advised that the Tenant had moved out of the rental unit and given I was satisfied the Landlord was served with the hearing package and Tenant's evidence and the Landlord had not appeared at the hearing to seek an Order of Possession based on the Notice.

The Application is withdrawn at the request of the Tenant.

### Conclusion

The Application is withdrawn at the request of the Tenant.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Act*.

Dated: July 23, 2021

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Residential Tenancy Branch