



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **MNDCT, CNC, OLC, FFT**

Introduction

This hearing was scheduled for 11:00 a.m. on this date, via teleconference call, to deal with the tenant's application to cancel a One Month Notice to End Tenancy for Cause; orders for compliance; and, monetary compensation.

A representative for the landlord appeared and stated the parties had settled the dispute and both parties were seeking withdrawal of this application.

I note that on January 7, 2022 the tenant appears to have executed a document indicating the parties had settled the dispute and requested his application be withdrawn. The letter goes on to ask that the Residential Tenancy Branch contact the landlord to obtain consent for withdrawal.

On January 19, 2022 the landlord appears to have uploaded a document signed on January 12, 2022 indicating he is in agreement with tenant's withdrawal request because the matter is settled. However, the landlord also indicates the hearing should be adjourned.

Also, on January 19, 2022 a copy of the settlement agreement, a signed Mutual Agreement to end the tenancy effective October 24, 2021, and a receipt for payment of funds to the tenant in satisfaction of the settlement agreement was uploaded. Finally, an authorization letter for the landlord's representative was provided on this date.

I pointed out to the landlord's representative that the landlord's letter of January 12, 2022 is inconsistent in that if the parties are seeking withdrawal of the application, by consent, I will dismiss the application and the hearing will not be adjourned. The

landlord's representative agreed the use of the word adjournment was incorrect and the parties were seeking dismissal, without leave, and the hearing be cancelled.

Given all of the above, I grant the request for withdrawal. I consider the dispute to be resolved and I dismiss this application without leave. I do not provide any type of order to either party with this decision.

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: January 20, 2022

Residential Tenancy Branch