



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Red Door Housing Society  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNQ-MT, FFT

### Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution ("Application") under the *Residential Tenancy Act* ("Act") to cancel a Two Month Notice to End Tenancy Because the Tenant does not Qualify for a Subsidized rental unit, dated November 9, 2021 ("Two Month Notice"); for more time to apply to cancel this Two Month Notice; and to recover the \$100.00 cost of their Application filing fee.

The Tenants, S.H. and A.F., and an agent for the Landlord, B.L. ("Agent"), appeared at the teleconference hearing and gave affirmed testimony. I explained the hearing process to the Parties and gave them an opportunity to ask questions about it.

During the hearing the Tenant and the Landlord were given the opportunity to provide their evidence orally and to respond to the testimony of the other Party. I reviewed all oral and written evidence before me that met the requirements of the Residential Tenancy Branch ("RTB") Rules of Procedure ("Rules"); however, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Neither Party raised any concerns regarding the service of the Application for Dispute Resolution or the documentary evidence. Both Parties said they had received the Application and/or the documentary evidence from the other Party and had reviewed it prior to the hearing.

### Preliminary and Procedural Matters

The Tenant provided the Parties' email addresses in the Application and they confirmed these in the hearing. They also confirmed their understanding that the Decision would be emailed to both Parties and any Orders sent to the appropriate Party.

At the outset of the hearing, I advised the Parties that pursuant to Rule 7.4, I would only consider their written or documentary evidence to which they pointed or directed me in the hearing. I also advised the Parties that they are not allowed to record the hearing and that anyone who was recording it was required to stop immediately.

During the course of testifying, the Agent stated that the Landlord has received sufficient documentation from the Tenants to approve their subsidized housing application. As such, the Agent said that the Landlord withdraws the Two Month Notice, so that the tenancy can continue. The Agent confirmed that the Landlord no longer seeks an order of possession for this rental unit.

However, the Agent said that the Landlord is not willing to reimburse the Tenants for the cost of their \$100.00 Application filing fee for this proceeding. The Tenants agreed with that, and were pleased that the tenancy can continue. The Tenants withdrew their Application, on the basis of the Agent's decision regarding the tenancy.

For the reasons stated above, I find the withdrawal of this Application is not prejudicial to the Landlord in any way. The Tenant's Application is hereby withdrawn. The tenancy continues until 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: March 21, 2022

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Residential Tenancy Branch