



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION (CORRECTED)

Dispute Codes **TT: CNL, PSF, FFT**
 LL: OPL, FFL

Introduction

This hearing dealt with two applications pursuant to the *Residential Tenancy Act* (the “Act”). The Tenant made one application for:

- cancellation of a Two Month Notice to End Tenancy for Landlord’s Use of Property dated October 28, 2021, pursuant to section 49;
- an order the Landlord provide services or facilities required by the tenancy agreement or law; and
- authorization to recover the filing fee from the Landlord pursuant to section 72.

The Landlord made one application for:

- an Order of Possession for Landlord’s use of the residential property pursuant to section 55; and
- authorization to recover the filing fee from the Landlord pursuant to section 72.

The Landlord and the Tenant attended the hearing. They were given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses.

Preliminary Matter – Withdrawal of Landlord’s Application and Tenant’s Application

At the outset of the hearing, the Tenant stated she vacated the rental unit on January 20, 2022. The Landlord and Tenant advised they did not want to proceed with the hearing. As the Tenant had vacated the rental unit was not entitled to recovery of the filing fee of her application. The Landlord stated she was not seeking to recover the filing fee of her application. Based on above, I dismiss all claims made in the Tenant’s

application and the Landlord's application. I make no findings on the merits of either the Tenant's application or Landlord's application.

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 1, 2022

Residential Tenancy Branch

THIS DECISION WAS CORRECTED PURSUANT TO SECTION 78(1)(a) OF THE RESIDENTIAL TENANCY ACT ON MARCH 5, 2022 AT THE PLACES INDICATED IN BOLD/UNDERLINE AND STRIKETHROUGH ABOVE

Residential Tenancy Branch