



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, FFT

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the Act), I was designated to hear an application regarding a residential tenancy dispute. On February 9, 2022 the Tenant applied for:

- an order to cancel a Two Month Notice for Landlord's Use, dated January 31, 2022 (the Two Month Notice);
- an order for the Landlord to comply with the Act, regulation, and/or tenancy agreement; and
- the filing fee.

The parties were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses; they were made aware of Residential Tenancy Branch Rule of Procedure 6.11 prohibiting recording dispute resolution hearings.

The Tenant testified she served the Notice of Dispute Resolution Proceeding (NDRP) on the Landlord by registered mail on or around February 11, 2022, and the Landlord confirmed he received it. I find the Tenant served the NDRP on the Landlord in accordance with section 89 of the Act.

As the Tenant testified she did not serve her evidence on the Landlord, I informed the parties I would not be considering it in my decision.

The Landlord did not submit responsive evidence to the Residential Tenancy Branch or serve responsive evidence on the Tenant.

Preliminary Matters

The Tenant applied for an order for the Landlord to comply with the Act, regulation, and/or tenancy agreement. As the description of the Tenant's claim states "The landlord is not giving enough time for us to leave, I believe he is saying he is moving in to get us out sooner. He told me that it will be unliveable and then all of the sudden he is going to live here," and the Tenant has also applied to dispute the Two Month Notice, I dismiss the Tenant's application for an order for the Landlord to comply with the Act, regulation, and/or tenancy agreement.

In the hearing, the Tenant stated she will be vacating the rental unit by March 31, 2022. Therefore, I dismiss the Tenant's application to dispute the Two Month Notice, and grant the Landlord an order of possession for March 31, 2022 at 1:00 p.m.

Conclusion

The Tenant's application is dismissed. The tenancy will end March 31, 2022 at 1:00 p.m.

The Landlord is granted an order of possession which will be effective March 31, 2022 at 1:00 p.m.

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 28, 2022

Residential Tenancy Branch