



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding JENCO INVESTMENTS and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNL, FFT

### Introduction

On March 30, 2022, the Tenants made an Application for Dispute Resolution seeking to cancel a Two Month Notice to End Tenancy for Landlord's Use of Property (the "Notice") pursuant to Section 49 of the *Residential Tenancy Act* (the "Act") and seeking to recover the filing fee pursuant to Section 72 of the *Act*.

On April 6, 2022, this matter was set down for a hearing on July 19, 2022 at 9:30 AM.

The Tenant attended the hearing; however, a representative for the Landlord did not attend the hearing at any point during the seven-minute teleconference. At the outset of the hearing, I informed the Tenant that recording of the hearing was prohibited and she was reminded to refrain from doing so. She provided a solemn affirmation.

She advised that she served the Notice of Hearing package to the Landlord by Xpresspost on April 8, 2022, and that the package was not returned to sender so it must have been received by the Landlord (the Xpresspost tracking number is noted on the first page of this Decision). She also included a copy of the Xpresspost receipt and tracking label as documentary evidence. Based on this undisputed evidence, I am satisfied that the Landlord has been duly served the Tenant's Notice of Hearing package.

The Tenant then advised that she would like to withdraw her Application in full because they had come to a mutual agreement with the Landlord. She referenced the letter submitted as documentary evidence to support this.

Preliminary and Procedural Matters

I find that the Tenant's request to withdraw the Application in full appears not to prejudice the Landlord. Therefore, the Tenant's request to withdraw the Application in full was granted. I note this Decision does not extend any applicable timelines under the *Act*.

Conclusion

The Tenant has withdrawn their Application in full. I have not made any findings of fact or law with respect to the 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: July 19, 2022

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Residential Tenancy Branch