



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding PARALLEL 50 REALTY AND PROPERTY
MANAGEMENT and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FF

Introduction, Preliminary and Procedural Matters-

This hearing was convened as the result of the tenants' application for dispute resolution seeking remedy under the Residential Tenancy Act (Act). The tenants applied for:

- an order cancelling the One Month Notice to End Tenancy for Cause (Notice) issued by the landlord.
- recovery of the cost of the filing fee.

The Notice at issue in this dispute was dated March 3, 2022, and listed an effective end of tenancy date of April 30, 2022.

The tenants and the landlord's agent attended the hearing. The hearing process was explained to the parties.

Thereafter the parties were provided the opportunity to present their evidence orally and to refer to relevant documentary evidence submitted prior to the hearing, and make submissions to me.

During the testimony and discussion of preliminary and other matters, the landlord elected to withdraw the Notice.

The tenant confirmed that they did not object to the Notice being withdrawn.

Due to the above, I find by mutual agreement of the parties, the Notice dated March 3, 2022, with an effective vacate date of April 30, 2022, is withdrawn. The Notice is therefore of no force or effect.

I find it was necessary for the tenants to file their application to dispute the Notice, in order for their tenancy to continue.

I therefore grant the tenants recovery of their filing fee of \$100. I direct the tenants to withhold \$100 from a future monthly rent payment in satisfaction of the monetary award. I also direct the tenants to notify the landlord when the deduction is being made so that the landlord will know not to record a rent deficiency.

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*. Pursuant to section 77(3) of the Act, a decision or an order is final and binding, except as otherwise provided in the Act.

Dated: July 07, 2022

Residential Tenancy Branch