



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution (the Application) that was filed by the Tenants under the *Residential Tenancy Act* (the Act) on June 30, 2022; seeking:

- Cancellation of a Two Month Notice to End Tenancy for Landlord's Use of Property (the Two Month Notice).

I note that Section 55 of the Act requires that when a tenant submits an Application seeking to cancel a notice to end tenancy issued by a landlord, I must consider if the landlord is entitled to an order of possession if the Application is dismissed and the landlord has issued a notice to end tenancy that is compliant with section 52 of the Act. The hearing was convened by telephone conference call at 11:00 A.M. on November 17, 2022, and was attended by the Tenant K.M., who provided affirmed testimony. The Landlord did not attend.

At the outset of the hearing the Tenant stated that they wish to withdraw the Application as they vacated the rental unit because of the Two Month Notice. As the Landlord did not attend the hearing and the Tenant stated that the tenancy has already ended, I accepted the Tenant's request for withdrawal and the Application was withdrawn accordingly. The Tenants remains at liberty to reapply, should they wish to do so; however, this is not an extension of any statutory timeline.

This decision is made on authority delegated to me by the Director of the Branch under Section 9.1(1) of the Act.

Dated: November 17, 2022

Residential Tenancy Branch