



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **CNL, LRE, OLC, FFT**

### Introduction

This hearing dealt with an application by the tenant under the *Residential Tenancy Act* (the *Act*) for the following:

- Cancellation of a Two Month Notice to End Tenancy for Landlord's use ("Two Month Notice") pursuant to section 49;
- An order to restrict or suspend the landlord's right of entry pursuant to section 70;
- An order requiring the landlord to comply with the Act pursuant to section 62;
- An order requiring the landlord to reimburse the tenant for the filing fee pursuant to section 72.

The agent EP attended for the landlord ("the landlord"). The tenant attended. The parties were given the opportunity to make submissions as well as present affirmed testimony and written evidence. The hearing process was explained, and an opportunity was given to ask questions about the hearing process.

The landlord stated that they have withdrawn the One Month Notice dated January 31, 2023 which is the subject of this application.

Preliminary Issue – Withdrawal of Application

Section 62(4)(b) of the Act states an application should be dismissed if the application or part of an application for dispute resolution does not disclose a dispute that may be determined under the Act. I accept the landlord's statement that the One Month Notice has been withdrawn.

Accordingly, I exercise my authority under section 62(4)(b) of the Act to dismiss the tenant's application without leave to reapply under sections 47 and 72. The remainder of the tenant's claims are dismissed with leave to reapply.

Conclusion

The applications under sections 47 and 72 are dismissed without leave to reapply. The remainder of the tenant's claims are dismissed with leave to reapply.

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 17, 2023

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Residential Tenancy Branch