



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding AMOS FERGUSON MEMORIAL
SOCIETY and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

On August 27, 2022, the Tenant made an Application for Dispute Resolution seeking to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to Section 47 of the *Residential Tenancy Act* (the “Act”).

On January 30, 2023, this matter was set down for a Review Hearing on May 15, 2023, at 11:00 AM, based on a previous Decision dated January 17, 2023.

The Tenant attended the Review Hearing, with J.E. attending as an advocate for the Tenant. J.H. attended the hearing as counsel for the Landlord. At the outset of the hearing, I explained to the parties that as the hearing was a teleconference, none of the parties could see each other, so to ensure an efficient, respectful hearing, this would rely on each party taking a turn to have their say. As such, when one party is talking, I asked that the other party not interrupt or respond unless prompted by myself. Furthermore, if a party had an issue with what had been said, they were advised to make a note of it and when it was their turn, they would have an opportunity to address these concerns. The parties were also informed that recording of the hearing was prohibited, and they were reminded to refrain from doing so. As well, all parties in attendance, with the exception of J.H., provided a solemn affirmation.

Both parties agreed that the Landlord would withdraw the Notice dated August 26, 2022, and that the Tenant would, in turn, withdraw this Application.

Preliminary and Procedural Matters

I find that the Tenant’s request to withdraw the Application in full appears not to

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

Conclusion

The Tenant has withdrawn their Application in full. The One Month Notice to End Tenancy for Cause dated August 26, 2022, is cancelled and of no force or effect.

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: May 15, 2023

Residential Tenancy Branch