



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding Kits Court Apartments
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes **CNC, FFT**

Introduction

This hearing dealt with an application by the tenants pursuant to the Residential Tenancy Act (“Act”) for orders as follows:

- cancellation of the landlord’s One Month Notice to End Tenancy for Cause (“One Month Notice”) pursuant to section 47
- reimbursement of the filing fee pursuant to section 72

Both parties attended the hearing with the landlord represented by an agent KK. Tenants KG and TP appeared with counsel AE. All parties were given a full opportunity to be heard, to present testimony, to make submissions, and to call witnesses.

The hearing was conducted by conference call. The parties were reminded to not record the hearing pursuant to Rule of Procedure 6.11. The parties were affirmed.

The tenant confirmed receipt of the One Month Notice dated January 27, 2023. Pursuant to section 88 of the Act the tenants are found to have been served with this notice in accordance with the Act.

The parties each testified that they received the respective materials and based on their testimonies I find each party duly served in accordance with sections 88 and 89 of the Act.

The landlord advised at the outset of the hearing that they wished to withdraw the One Month Notice. The tenants consented to the withdrawal of the One Month Notice.

Conclusion

The One Month Notice is withdrawn. I make no findings regarding the merits of the dispute.

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 29, 2023

Residential Tenancy Branch