



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

CNC

Introduction

I have been delegated the authority under Section 9.1 of the *Residential Tenancy Act* (the "Act") to hear this matter and decide the issues.

I reviewed the evidence on the case file prior to the Hearing. Both parties were present and this matter proceeded on its merits.

Issue(s) to be Decided

This is the Tenant's application, filed on January 21, 2009, to cancel Notice to End Tenancy dated January 16, 2009.

Background and Evidence

At the onset of the Hearing, the Landlord's agent confirmed that another of the Landlord's agents had withdrawn the Notice to End Tenancy on January 27, 2009. A copy of a letter addressed to the Tenant, dated January 27, 2009, confirming withdrawal of two Notices to End Tenancy (dated January 16, 2009 and January 27, 2009) was submitted to the case file by the Landlord's agent.

The Landlord's agent wished to give evidence at the Hearing with respect to whether the Tenant is a tenant or an occupant and asked me to make a determination. I advised the Landlord's agent that this application was the Tenant's application to cancel the Notices to End Tenancy and if the Landlord had other outstanding issues, he should

make his own application for dispute resolution. I made no findings with respect to whether the Tenant is a tenant or an occupant.

Analysis

Based on the testimony of the Landlord's agent, I find that the Notices to End Tenancy dated January 16, 2009 and January 27, 2009 are cancelled.

Conclusion

The Notice to End Tenancy dated January 16, 2009 is cancelled.

March 5, 2009
