



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET

### Introduction

This conference call hearing was convened in response to the landlord's application for an Order of Possession to end a tenancy early.

The landlord participated in the hearing and provided affirmed testimony. She testified that she served the Notice of a Dispute Resolution Hearing to the tenant in person on April 13, 2012. The tenant did not participate and the hearing proceeded in the tenant's absence.

At the outset, the landlord addressed concerns with the tenant's temperament and incidents that occurred over the month of March and April 2012. The landlord stated that since the filing of this application, the tenant's behaviour has changed and that the parties are not working to re-build a more courteous landlord tenant relationship. Therefore the landlord withdrew her application for dispute resolution.

### Conclusion

Landlords and tenants under a tenancy agreement owe a statutory obligation towards one another. The landlord has a duty of care and a right to enforce a tenancy, and the tenant is entitled to certain rights pursuant to the Act. Repeated breaches by the tenant do not prevent the landlord from making future applications for dispute resolution and to present comprehensive, relevant and timely evidence which, at that time may generate a different outcome.

This application is hereby cancelled.

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: April 26, 2012.

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Residential Tenancy Branch