



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding EXECUTIVE PROPERTY MANAGEMENT
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, FF

Introduction

This hearing dealt with the tenant's application for dispute resolution, seeking to cancel a notice to end tenancy issued by the landlord for non payment of rent. Both parties attended the hearing.

At the start of the hearing the tenant informed me that she had intentions of moving out after the landlord had served her with a notice to end tenancy, due to the legality of the suite. There was a mutual agreement that the tenant referred to which involved the landlord waiving the payment of rent for February and the tenancy ending on February 28. The tenant stated that she understood that she did not have to pay rent for February and was surprised to receive a notice to end tenancy for nonpayment of rent on February 04, 2013. The tenant was out of the country at the time.

However since the tenant moved out on February 25, 2013, her application to cancel the notice is moot and accordingly dismissed. Her application was not necessary as she had decided to move out pursuant to the earlier notice to end tenancy. Therefore she must bear the cost of filing her application.

Conclusion

The tenant's application is dismissed.

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 05, 2013

Residential Tenancy Branch

