



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNC, O

Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause and for other.

Both parties were represented at the hearing.

Issue(s) to be Decided

Should a Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Background and Evidence

At the outset of the hearing the Tenant stated that he has vacated the rental unit, that he has no intention of returning to the rental unit, and that he would like to withdraw his Application for Dispute Resolution.

After the Tenant indicated his intent to withdraw the Application for Dispute Resolution the Landlord requested an Order of Possession. He was advised that I do not have authority to grant an Order of Possession, as the application to cancel the Notice to End Tenancy was withdrawn, rather than dismissed. The Landlord was advised that on the basis of the testimony that the Tenant has moved out of the rental unit and does not intend to return, he does not require an Order of Possession.

Analysis

The Application for Dispute Resolution has been withdrawn.

Conclusion

The resolution of this matter is recorded on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 02, 2014

Residential Tenancy Branch

