



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. The participatory hearing was held, by teleconference, on February 15, 2018. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- to cancel a 2-Month Notice to End Tenancy for Landlord's Use of the Property (the Notice).

Both parties were represented at the hearing and were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Preliminary Matters

During the hearing, the Landlord expressed that the Notice was issued prematurely, as the property had not actually sold at the time the Notice was issued. The Landlord stated that he wanted to withdraw the Notice. After discussion during the hearing, both parties consented to the Landlord withdrawing/cancelling this Notice, issued November 22, 2017. Both parties also consented to the Tenant withdrawing his application to cancel this Notice. Given this, I accept the withdrawal of the Notice, and the application to cancel the Notice before me is dismissed, without leave.

Conclusion

The Notice issued November 22, 2017, is withdrawn and is of no force or effect. I dismiss the Tenant's application without leave to reapply.

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: February 16, 2018

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Residential Tenancy Branch