



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, FFT

### Introduction

This teleconference hearing was scheduled in response to an application by the Tenant under the *Residential Tenancy Act* (the “Act”) to cancel a 10 Day Notice to End Tenancy for Unpaid Rent (the “10 Day Notice”) and for the recovery of the filing fee paid for the Application for Dispute Resolution.

The Tenant called into the teleconference hearing after approximately 7 minutes and stated his intent to withdraw the application. No one called in for the Landlord.

### Issues to be Decided

Should the 10 Day Notice to End Tenancy for Unpaid Rent be cancelled?

If the 10 Day Notice to End Tenancy for Unpaid Rent is upheld, is the Landlord entitled to an Order of Possession?

Should the Tenant be awarded the recovery of the filing fee paid for the Application for Dispute Resolution?

### Background and Evidence

The Tenant attended the hearing to state that he was withdrawing his application as the tenancy has ended. The Tenant stated that the Landlord filed a previous application on the 10 Day Notice and that the Tenant was not granted a review consideration request. As such, the Tenant stated that he moved out of the rental unit on or around February 20, 2019.

Analysis

I accept the testimony of the Tenant that this tenancy has already ended through an order granted at a previous dispute resolution proceeding. Therefore, I accept that the application has been withdrawn and make no findings of fact or law regarding this dispute.

Conclusion

This application was withdrawn by the Tenant as the tenancy has already ended.

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 28, 2019

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Residential Tenancy Branch