



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ANAVETS
and [tenant name suppressed to protect
privacy]

DECISION

Dispute Codes CNR, LRE

Introduction

In this application, the applicant sought (1) an order to cancel a 10 Day Notice to End Tenancy for Unpaid Rent (the “Notice”) under section 46 of the *Residential Tenancy Act* (the “Act”), and (2) an order suspending or restricting the landlord’s (the respondent) right to enter the rental unit, pursuant to section 70 of the Act.

The applicant applied for dispute resolution on January 10, 2020 and a dispute resolution hearing was held on March 10, 2020 at 11:00 AM. Only the applicant attended, and the hearing concluded at 11:01 AM.

Preliminary Issue: Withdrawal of Application

The Residential Tenancy Branch’s internal notes on the file indicate that “TT CALLED IN AND ASKED TO WITHDRAW HRG. INFORMED TT OF R.O.P. 5.0.1” on the morning of the hearing. This note indicates that an information officer explained Rule 5.0.1 of the *Rules of Procedure*, under the Act, which states, *inter alia*, that

[w]here a tenant has applied to dispute a landlord’s notice to end tenancy, the applicant tenant requires the written consent of the landlord to withdraw their application.

While there was no written consent of the respondent for the applicant to withdraw his application, the respondent was not in attendance at the hearing. I also note that there was no documentary evidence submitted.

The applicant explained that he had “reached a resolution with his landlord.”

Conclusion

The applicant's application is hereby withdrawn.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: March 10, 2020

Residential Tenancy Branch