



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR, CNC**

Introduction

This hearing dealt with the Tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

1. Cancellation of the Landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the "10 Day Notice") pursuant to Sections 46(1) and 62 of the Act; and,
2. Cancellation of the Landlord's One Month Notice to End Tenancy for Cause (the "One Month Notice") pursuant to Section 47 of the Act.

The hearing was conducted via teleconference. The Landlord's son, BC, and the service agent, SM, attended the hearing at the appointed date and time and provided affirmed testimony. The Tenant did not attend the hearing. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that BC and SM, and I were the only ones who had called into this teleconference. The BC and SM were given a full opportunity to be heard, to make submissions, and to call witnesses.

I advised BC and SM that Rule 6.11 of the Residential Tenancy Branch (the "RTB") Rules of Procedure prohibits the recording of dispute resolution hearings. They both testified that they were not recording this dispute resolution hearing.

The Landlord's service agent testified that he served the Tenant with the 10 Day Notice and the One Month Notice both on February 12, 2022 by posting the notices on the Tenant's door. I find that the 10 Day Notice and the One Month Notice were deemed served on the Tenant on February 15, 2022 according to Sections 88(g) and 90(c) of the Act.

Following introductory remarks, BC advised that the Landlord instructed him to withdraw both the 10 Day Notice and the One Month Notice. BC confirmed that his father wanted to withdraw both notices. I explained to BC that by withdrawing both notices, these proceedings would end and this tenancy would continue until it was ended in accordance with the Act. BC confirmed their desire to withdraw both notices.

Conclusion

The 10 Day Notice and the One Month Notice both dated February 12, 2022 are withdrawn and are of no force or effect. This tenancy shall continue until it is ended in accordance with the Act.

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: May 27, 2022

Residential Tenancy Branch