



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

Decision

Dispute Codes: CNR FF

Introduction

This matter dealt with an application by the tenant to cancel a 10 Day Notice to End Tenancy issued by the landlord on November 20, 2008 for unpaid rent.

The tenants appeared at the hearing, which was held via teleconference and gave evidence that the application for dispute resolution and the notice of hearing were served upon the landlord via registered mail. The registered mail was addressed to the address on the Notice and was mailed on November 21, 2008. Service via registered mail is deemed complete 5 days after being mailed, so I am satisfied that the landlord was duly served effective November 26, 2008.

Conclusion

As the landlord has failed to appear to give evidence to substantiate the Notice, and the tenants have applied to cancel the Notice, I grant the tenant's application and cancel the Notice issued on November 20, 2008 and order that the tenancy will continue.

I grant the tenant's a monetary award of \$50.00 for the filing fee for this application and order that the tenant's may deduct that amount off a subsequent rent payment.

Dated: December 10, 2008