

## **DECISION**

Dispute Codes      CNR, OPR, MNDC, FF

### Introduction and Analysis

This hearing dealt with cross-Applications for Dispute Resolution. The Tenant applied to cancel a Notice to End Tenancy issued for alleged non-payment of rent and for the filing fee. The Landlord applied for an order of possession, a monetary order for unpaid rent and for the filing fee.

The Landlord failed to participate in the hearing, and therefore, I dismiss the Application for Dispute Resolution of the Landlord.

The Landlord failed to participate in the hearing, and therefore, there is insufficient evidence to uphold the Notice to End Tenancy.

Therefore, I allow the Application of the Tenant and I order that the Notice to End Tenancy is cancelled and is of no force or effect.

I order that the Tenant may withhold **\$50.00** from one month of rent, in order to recover the filing fee he paid.

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: May 05, 2009.

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Dispute Resolution Officer