



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNR

Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties .

All testimony was taken under affirmation.

Decision and reasons

This is a request to have a section 46 Notice to End Tenancy for non-payment of rent cancelled; however at the hearing the applicant stated that she misunderstood the application and that she does not want the notice cancelled as she plans to move out.

The tenant admitted that she still owes a full months rent but requested that she be allowed to stay till the end of the month.

The landlord requested an immediate Order of Possession.



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Conclusion

This application is dismissed without leave to reapply and I have issued an Order of Possession to the landlord for 12 noon on September 26th 2009.

I further order that the applicant, pay the filing fee of \$50.00, which was previously waived, to the director of the Residential Tenancy Office.

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: September 23, 2009.

Dispute Resolution Officer