

DECISION

Dispute Codes: CNC, CNR

Introduction

This is the Tenant's application to cancel a Notice to End Tenancy for Unpaid Rent and to cancel a Notice to End Tenancy for Cause.

I reviewed the evidence provided prior to the Hearing. The parties gave affirmed testimony and the Hearing proceeded on its merits.

Preliminary Matter

The Notice to End Tenancy, issued September 28, 2009, is not a valid Notice under Sections 39 or 40 of the Act and would have been cancelled. The Notice consists of page one of a 10 day Notice to End Tenancy for Unpaid Rent and page 2 of a One Month Notice to End Tenancy for Cause. In any event, at the onset of the Hearing, the parties stated that the Tenant had entered into a new tenancy agreement with the Landlord on September 29, 2009. Therefore, the Tenant's application is granted. The Tenancy remains in full force and effect.

Conclusion

The Tenant's application is granted. The tenancy remains in full force and effect.

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: November 9, 2009.
