



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant to cancel a notice to end tenancy for unpaid rent.

Service of the hearing documents, by the Tenant to the Landlord, was done in accordance with section 89 of the *Act*, sent via registered mail on October 8, 2010. Mail receipt numbers were provided in the Tenant's verbal testimony. The Landlord is deemed to be served the hearing documents on October 13, 2010, the fifth day after they were mailed as per section 90(a) of the *Residential Tenancy Act (Act)*.

The Tenant attended the teleconference hearing and provided affirmed testimony. No one attended on behalf of the Landlord despite the fact that the Landlord was served notice of this hearing in accordance with the *Act*.

Issues(s) to be Decided

1. Is the Tenant entitled to an Order to cancel the 10 Day Notice to End Tenancy?

Background and Evidence

The Tenant confirmed that the Landlord faxed a copy of the 10 Day Notice to End Tenancy to his case worker at Income Assistance. He testified that since then he has vacated the rental unit as of November 3, 2010.

Analysis

The Tenant has filed an application to dispute a Notice to End Tenancy however since making this application the tenant has ended the tenancy by vacating the rental unit on November 3, 2010. Based on the aforementioned I find the Tenant's application to be moot and no further action is required.

Conclusion

As per the aforementioned the Tenant's application is moot and therefore this file is closed.

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 05, 2010.

Dispute Resolution Officer