

DECISION

Dispute Codes MT, CNR

This is an application filed by the Tenant to allow a Tenant more time to make an application to cancel a notice to end tenancy for unpaid rent. If successful the Tenant would like to cancel the notice to end tenancy for unpaid rent.

At the start of the hearing the Tenant stated that when he received the 10 day notice to end tenancy for unpaid rent on June 12, 2011 that he tried to apply online on June 17, 2011 (the 5th day). The Tenant stated that he could not complete the application process because he could not pay the filing fee. The Tenant filed his application for dispute with a Government Agent's Office on June 21, 2011 (9 days after the notice was received). The Tenant has not provided a compelling reason to allow more time to file an application for dispute resolution outside of the allowed 5 days. The filing fee is part of the application filing process. The Tenant's application for more time is dismissed. The merits of the Tenant's application to cancel a notice to end tenancy were not heard.

The Landlord made an oral application for an order of possession. The 10 day notice to end tenancy for unpaid rent is upheld. The Landlord's application was granted. The Tenant must be served with the order of possession. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Conclusion

The Tenant's application for more time is dismissed.

The merits of the Tenant's application to cancel the notice to end tenancy were not heard.

The Landlord is granted an order of possession.

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: July 07, 2011.

Residential Tenancy Branch