

## **DECISION**

Dispute Codes      CNC

### **Introduction**

This is an application filed by the Tenant to cancel a notice to end tenancy for unpaid rent, but was subsequently amended to cancel a 1 month notice to end tenancy for cause.

Both parties attended the hearing by conference call and gave testimony.

At the beginning of the hearing, the Landlord referred to their evidence that the Tenant has failed to apply for dispute resolution within the allowed 10 days after receiving the notice. The Landlord states that the notice was left in the mail box on May 6, 2011. The Tenant confirms that she received the 1 month notice to end tenancy for cause in her mail box. The Tenant filed her application for dispute resolution on June 21, 2011 (33 days after the allow 10 day period) and subsequently amended it on June 23, 2011.

I find that the Tenant has failed to apply for dispute resolution within the allowed 10 days after receiving the notice. The Tenant is deemed to accept that the Tenancy is at an end. The 1 month notice to end tenancy for cause is upheld. The Tenancy ended on the effective date of the notice on June 30, 2011.

### **Conclusion**

The Tenant's application is dismissed.  
The 1 month notice to end tenancy is upheld.

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 19, 2011.

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Residential Tenancy Branch