



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, MT

### Introduction

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

I also gave the applicant the opportunity to testify at the hearing.

The applicant testified that the respondent was served with notice of the hearing by registered mail that was mailed on July 20, 2011, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

### Issue(s) to be Decided

This is a request to cancel a Notice to End Tenancy.

### Background and Evidence

The tenant was served with a 10 day Notice to End Tenancy on July 14, 2011 which stated that there was \$7,000.00 rent outstanding, and \$1400.00 in utilities outstanding.

The tenant testified that:

- Rent is \$1200.00 per month and all utilities are included.
- There is no rent outstanding at this time as she always deposits the rent into the landlord's bank account.

- She is not responsible for utilities and therefore there are no utilities outstanding.
- The applicant therefore requests that the Notice to End Tenancy be cancelled.

### Analysis

In the absence of any testimony from the landlord, there is no evidence to support the landlords Notice to End Tenancy, and therefore the notice will be cancelled.

### Conclusion

### Order

The 10 day Notice to End Tenancy dated July 11, 2011 is hereby cancelled and this tenancy continues.

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: August 17, 2011.

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Residential Tenancy Branch