

## **DECISION**

Dispute Codes      CNR, O

### **Introduction**

This is an application filed by Tenant to cancel a notice to end tenancy for unpaid rent and an order for the Landlord to comply with the Act.

The Tenant attended the hearing by conference call and gave undisputed testimony. The Landlord did not attend. The Landlord did not submit any documentary evidence. The Tenant states that he personally served the Landlord, "Jack" with the notice of hearing package on June 23, 2012. The Tenant also states that he personally served the Landlord, "Heather" with the late evidence package on July 13, 2012. I accept the undisputed testimony of the Tenant and find that the Landlord was properly served with the notice of hearing and evidence packages as deemed under the Act.

### **Issue(s) to be Decided**

Is the Tenant entitled to an order to cancel the 10 day notice to end tenancy for unpaid rent?

### **Background, Evidence and Analysis**

The Tenant was served with a 10 day notice to end tenancy for unpaid rent dated June 15, 2012. The notice states that rent of \$275.00 was due on June 1, 2012. The effective date of the notice is June 30, 2012. The Tenant filed for dispute resolution on June 20, 2012.

The Tenant gave direct testimony that a verbal agreement existed whereas the Tenant would perform "work for rent". The Tenant states that he keeps detailed records of his employment hours at \$15.00 per hour. The Tenant's documentary evidence also shows receipts for rent paid.

Based upon the undisputed testimony of the Tenant, I accept that a "work for rent" agreement exists and that the Tenant is entitled to an order cancelling the 10 day notice to end tenancy dated June 15, 2012. The Tenant's application is granted. The Tenancy continues.

Conclusion

The Tenant's application is granted. The notice dated June 15, 2012 is cancelled. The 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: July 23, 2012.

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Residential Tenancy Branch