



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPR, MNR, MND, MNDC, MNSD, FF / MT, OPR, OPC

Introduction / Background / Evidence

This hearing was scheduled in response to 2 applications: i) by the landlord for an order of possession for unpaid rent / a monetary order as compensation for unpaid rent / compensation for damage to the unit, site or property / compensation for damage or loss under the Act, Regulation or tenancy agreement / retention of the security deposit / and recovery of the filing fee; and ii) by the tenant for more time to make an application to cancel a notice to end tenancy / cancellation of a notice to end tenancy for unpaid rent / and cancellation of a notice to end tenancy for cause.

The tenant attended the hearing and testified that he served the application for dispute resolution and notice of hearing (the “hearing package”) in-person on or about November 2, 2012. Despite this, and despite scheduling of the hearing in response to applications by both parties, neither landlord appeared. Documentary evidence is limited and does not include a copy of a written tenancy agreement, or a 10 day notice to end tenancy for unpaid rent, or a 1 month notice to end tenancy for cause.

Following from all of the above, the landlord’s application is hereby dismissed. Further, any 10 day notice or 1 month notice to end tenancy which may have been issued are both hereby set aside, with the effect that the tenancy continues in full force and effect.

Conclusion

The landlord’s application is hereby dismissed. Notices to end tenancy are hereby set aside and the tenancy continues in full force and effect.

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 20, 2012.

Residential Tenancy Branch