



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes

Landlord: OPR, OPC, MNR, MNDC, FF  
Tenants: CNR

### Introduction

This hearing dealt with the cross Applications for Dispute Resolution with the landlord seeking an order of possession and a monetary order and the tenants seeking to cancel a notice to end tenancy. The hearing was conducted via teleconference and was attended by the landlord's agent.

As both parties filed Applications for Dispute Resolution I am satisfied that both parties were aware of this hearing and the call in procedures. Further based on the evidence submitted by the landlord confirming service of their Application and subsequent amendments I find the tenants were sufficiently served with notice and details of this hearing.

At the outset of the hearing the landlord's agent testified the tenants had vacated the rental unit and that the tenants have agreed in writing to deductions from the security deposit that will cover any of the unpaid rent and fees sought in this Application and as such she withdrew her Application.

### Issue(s) to be Decided

The issue to be decided is whether the tenants are entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent, pursuant to Sections 46 of the *Residential Tenancy Act* (Act).

### Conclusion

In the absence of the applicant tenants I dismiss their Application for Dispute Resolution without leave to reapply.

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: December 04, 2012.

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Residential Tenancy Branch