



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Fernie Real Estate
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This was a hearing with respect to the tenants' application to cancel a 10 day Notice to End Tenancy for unpaid rent. The hearing was conducted by conference call. The named tenant called in and participated in the hearing. The landlord did not attend, although served with the application and Notice of Hearing sent by registered mail on March 26, 2013

Conclusion

During the hearing the tenant testified that the Notice to End Tenancy was not delivered on the date of the Notice. He received it on March 19, 2013 and applied to dispute it on March 21, 2013. The tenant acknowledged that rent for March was not paid on time and there are arrears for April that the tenants are trying to make up.. In the absence of an appearance by the landlord although served with the application and Notice of Hearing and based on the tenant's evidence, I make no finding as to the validity of the Notice to End Tenancy.

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: April 19, 2013

Residential Tenancy Branch