



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNR

### Introduction

This hearing was scheduled in response to the tenant's application for cancellation of a 10 day notice to end tenancy for unpaid rent. Both parties attended and gave affirmed testimony.

### Issue(s) to be Decided

Whether the tenant is entitled to the above under the Act, Regulation or tenancy agreement.

### Background and Evidence

The relevant documentary evidence before me is limited to the tenant's application for dispute resolution, and the "notice of a dispute resolution hearing."

The parties appear to agree that tenancy began approximately ten (10) years ago. Monthly rent of \$850.00 is due and payable in advance on the first day of each month, and a security deposit of \$425.00 was collected.

It is understood that the landlord issued a 10 day notice to end tenancy for unpaid rent dated March 31, 2013. It is further understood that the notice was served in-person on the tenant on April 1, 2013, and that the notice shows rent in the total amount of \$1,240.00 as overdue. The landlord was unable during the hearing to confirm specifically how this total was calculated. For her part, the tenant confirmed that rent has not yet been paid for April or May. During the hearing the parties undertook to be in contact with each other later in the day to arrange for at least a partial payment of overdue rent.

### Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)

The parties agree that rent has not presently been paid in full, and that a 10 day notice to end tenancy for unpaid rent has been issued. However, in the absence of a copy of the notice before me, and in the absence of a clear and accurate accounting of the amount of rent overdue, the 10 day notice is hereby set aside. In the result, the tenancy continues in full force and effect.

### Conclusion

The notice to end tenancy is hereby set aside.

The tenancy presently continues uninterrupted.

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: May 01, 2013

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Residential Tenancy Branch