



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNR

### **Introduction**

A hearing was conducted by conference call in the presence of the respondents and in the absence of the applicant. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the 10 Notice to End Tenancy was sufficiently served on the Tenant on April 2, 2013. Further I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the Landlords on April 9, 2013. With respect to each of the applicant's claims I find as follows:

### **Issues to be Decided**

The issue to be decided is whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated April 2, 2013?

### **Background and Evidence:**

The tenancy began on February 1, 2013. The tenancy agreement provided that the tenant(s) would pay rent of \$820 per month payable on the first day of each month. The tenant(s) paid a security deposit of \$410 at the start of the tenancy.

The landlord testified the tenants failed to pay the rent for the month of April and the sum of \$820 remains outstanding. The landlord has previously obtained an Order for Possession. The tenants vacated the rental unit on April 27, 2013.

### **Determination and Orders**

The Tenants failed to attend the hearing and failed to present evidence to support their application to cancel the 10 day Notice to End Tenancy. I determined that rent was owed for April 2013 and there is no basis to cancel the 10 day Notice to End Tenancy..

**I ordered that the tenant's application to cancel the Notice to End Tenancy be dismissed. The tenancy shall end in accordance with 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: May 07, 2013

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Residential Tenancy Branch