



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CHILLIWACK KIWANIS HOUSING SOCIETY  
and [tenant name suppressed to protect privacy]

## Decision

**Dispute Codes:** CNR

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a Ten-Day Notice to End Tenancy for Unpaid Rent or Utilities dated April 2, 2013. The applicant tenant did not appear, but the respondent landlord was present.

As the applicant tenant did not appear, I find that the tenant's application requesting an order to cancel the Ten-Day Notice must be dismissed.

Under section 55(1) of the Act, upon the request of the landlord, I must issue an order of possession when I have upheld a notice to end tenancy. The landlord stated that the tenant already abandoned the suite, so no order of possession is required. However, the landlord requested a Monetary Order against the tenant for the rental arrears.

As this is the tenant's application, there is no authority under the Act to grant a monetary order to the respondent. I find that, to seek compensation, the landlord must make their *own* application under section 67 of the Act and obtain a Monetary Order.

In the matter before me, that being the tenant's request to cancel the Ten Day Notice to End Tenancy, the tenant's application is hereby dismissed without leave to reapply.

### Conclusion

The tenant's application is dismissed without leave.

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: June 04, 2013

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Residential Tenancy Branch