



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NAV HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

The tenant has applied for dispute resolution, seeking an order cancelling a 10 day Notice to End Tenancy (the "Notice") given for unpaid rent or utilities.

The landlord did not attend the hearing. I accept that the landlord was personally served with notice of this hearing.

Issues to Be Decided

- Should the Notice be cancelled, and the tenancy continue?

Background and Evidence

This tenancy began on or about April 2011. Rent is due on the 1st day of each month in the amount of \$886.55, and is paid directly by the Ministry. The tenant received a 10-Day Notice to End Tenancy on May 17, 2013, given for non-payment of rent. The tenant filed a dispute of that notice immediately upon receiving it. The tenant advises that his roommate's portion of the rent was short for a period, as the Ministry had not been advised of a rental increase. That has been rectified, and June's rent was paid in full, and was accepted by the landlord.

Analysis

Based upon the uncontested testimony of the tenant, I find that the unconditional acceptance by the landlord of the June rent serves to reinstate the tenancy, since that rent was accepted after the effective end date of the tenancy. Accordingly, the Notice to End tenancy is cancelled, and the tenancy shall continue.

Conclusion

The Notice to End Tenancy is cancelled. The tenancy continues.

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 17, 2013

Residential Tenancy Branch