



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to allow a tenant more time to make an application to cancel a Notice to End Tenancy, which was received on June 7, 2013, and an order to cancel a Notice to End Tenancy for Unpaid Rent, issued on June 7, 2013.

Although served with the Application for Dispute Resolution and Notice of Hearing by personal service on June 18, 2013, the landlords did not appear.

Preliminary Issue

The tenant acknowledged that they received the 10 Day Notice to End Tenancy on June 7, 2013, under the provisions of the Act the tenant had five days to file an application for dispute resolution. The tenant's application was filed on June 17, 2013, requesting to allow more time to make an application to cancel a notice to end tenancy.

Under section 66(1) of the Residential Tenancy Act and extension of time can only be granted where the applicant has established that there are exception circumstances.

In this case the tenant stated they made no effort to file an application for dispute resolution until June 17, 2013, as they were working with social services to have the landlord paid. I find the tenant did not take reasonable and appropriate steps to comply with the relevant time limit, and the tenant has failed to prove that an exceptional circumstance, such as a medical emergency, prevented them from filing their application. Therefore, I dismiss the tenant's application to allow a tenant more time to make an application to cancel a notice to end tenancy.

Further, I find that there is no merit to the tenant's application. In particular, the tenant admitted that rent was owed when they received the notice and that amount was not paid within the five days required by the Act.

Conclusion

The tenant's application is dismissed.

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: July 18, 2013

Residential Tenancy Branch

