



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, MNR, FF, CNR

There are applications filed by both parties. The Landlord has made an application for an order of possession and a monetary order for unpaid rent and utilities and recovery of the filing fee. The Tenant has made an application to cancel the notice to end tenancy issued for unpaid rent and recovery of the filing fee.

Both parties attended the hearing by conference call. Mr. S. clarified that he was calling in as an agent on behalf of the Landlord, but that no notice of documentation had been filed to allow this. The Tenant stated that he did not know who Mr. S. was and always dealt with the Landlord. S.G. Mr. S. stated that he was unable to contact the Landlord as he was out of the country. Both parties confirmed that the Tenant had vacated the rental unit and as such, the Tenant has withdrawn his application to cancel the notice to end tenancy. No further action is required.

The Landlord's application is dismissed with leave to reapply as the Landlord has not appeared and has failed to provide any notice or documentation of Mr. S. appearing as his agent. The Tenant has stated that his mail is being forwarded by Canada Post and wishes the decision to be sent via the dispute address.

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: October 09, 2013

Residential Tenancy Branch

