



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Canmed Investments Inc.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR, OLC, FF, O

### Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking to cancel a notice to end tenancy and an order to have the landlord comply with the *Residential Tenancy Act (Act)*, regulation, or tenancy agreement.

The hearing was conducted via teleconference and was attended by both tenants and two agents for the landlord.

While the tenants had originally submitted that they were seeking to have the landlord comply with the *Act*, regulation or tenancy agreement in their Application for Dispute Resolution submitted on November 26, 2013 they did not submit any evidence regarding any previously sought repairs until January 13, 2014. As such, I declined to hear any matters related to repairs.

### Issue(s) to be Decided

The issues to be decided are whether the tenants are entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 46, 67, and 72 of the *Act*.

### Background and Evidence

At the outset of the hearing the landlord submitted that they wished to withdraw the 10 Day Notice to End Tenancy for Unpaid Rent issued by the landlord on November 16, 2013 with an effective date of November 30, 2013 citing the tenants had failed to pay rent in the amount of \$48.80 on November 1, 2013.

### Analysis

As the tenants had applied to cancel this Notice I accept the landlord's withdrawal of the 10 Day Notice.

Conclusion

I find the tenants are entitled to monetary compensation pursuant to Section 67 in the amount of **\$50.00** comprised of the fee paid by the tenants for this application. I order the tenants may deduct this amount from a future rent payment pursuant to Section 72(2)(a) in satisfaction of this claim.

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: January 27, 2014

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Residential Tenancy Branch

