



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, O

### Introduction

This is an application to cancel a 10 day Notice to End Tenancy.

Some documentary evidence and written arguments have been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

### Issue(s) to be Decided

The issue is whether or not to cancel a 10 day Notice to End Tenancy.

### Background and Evidence

This tenancy began October 15, 2012 with a monthly rent of \$750.00.

On January 4, 2014 the landlord served the tenant personally with a 10 day Notice to End Tenancy stating that there was \$2870.00 in rent outstanding.

The landlord has subsequently accepted a portion of the February 2014 rent.

### Analysis

The 10 day Notice to End Tenancy that was served on the tenant ended the tenancy on January 14, 2014, however the landlord has subsequently accepted a portion of the rent for the month of February 2014, and in doing so the landlord has reinstated the tenancy.

The landlord may therefore no longer end the tenancy with the notice that was issued on January 4, 2014, and if the landlord still wishes to end the tenancy, a new Notice to End Tenancy must be served.

### Conclusion

This tenancy has been reinstated and 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: February 19, 2014

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Residential Tenancy Branch

