



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Alpine Lake Suites
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, CNR, OPC, MNR, FF

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant, and one brought by the landlord. Both files were heard together.

The tenant's application was a request to cancel a Notice to End Tenancy that was given for nonpayment of rent and a request to cancel a Notice to End Tenancy that was given for cause.

The landlord's application is a request for a Monetary Order for \$843.00, and a request for an Order of Possession. The landlord, however, did not join the conference call that was set up for the hearing.

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

I also gave the tenant the opportunity to give their evidence orally.

All testimony was taken under affirmation.

Issue(s) to be Decided

The tenant had been requesting an order canceling 2 Notices to End Tenancy, however the tenant has already vacated the rental unit and therefore is no longer requesting an order canceling the notices.

As stated above the landlord's application was a request for an Order of Possession, and a request for a Monetary Order, however since the tenant has already vacated the rental unit there is no need for me to deal with the request for an Order of Possession.

The issue to be decided, therefore, is whether or not to issue a Monetary Order in favor of the landlord.

Background and Evidence

On the landlords application the landlord states that the tenant owes a total of \$843.00 in outstanding rent, late fees, and filing fee.

The tenant testified that he has fully paid all rent to the landlord and there is no rent outstanding.

Analysis

Since the landlord did not appear at today's hearing, and since the tenant denies owing any rent whatsoever to the landlord, it's my finding that the landlord has not met the burden of proving any of the claim.

Conclusion

The tenant has withdrawn his application.

The Landlords application has been dismissed in full without leave to reapply.

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 11, 2014

Residential Tenancy Branch

