



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OPR, FF

Introduction

This hearing dealt with an application by the landlord seeking an order of possession. The tenant has filed an application seeking to have the Ten Day Notice to End Tenancy for Unpaid Rent and Utilities set aside. The tenant participated in the teleconference, the landlord did not. The hearing proceeded and completed in the absence of the landlord. The tenant gave affirmed evidence.

Issues to be Decided

Is either party entitled to any of the above under the Act, regulations or tenancy agreement?

Background and Evidence

The tenancy began on or about December 1, 2013. Rent in the amount of \$925.00 is payable in advance on the first day of each month. At the outset of the tenancy the landlord collected from the tenant a security deposit in the amount of \$400.00.

The tenant gave the following testimony:

The tenant stated that he wasn't sure of the exact date when he was issued a notice. The tenant stated that all of his documentation that he was going to rely on for this hearing was stolen yesterday. The tenant stated that he plans to move out by the end of the month as he no longer has a positive relationship with the landlord.

Analysis

I will first deal with the landlords' application. The landlord chose not participate in this hearing or submit any documentation. Based on the lack of information provided by the landlord I dismiss the landlords' application.

The tenant did not provide any documentation for this hearing. The tenant was unable to give a definite date as to when he was served the notice and for what reason. The tenant is seeking an order to have a notice set aside but without the actual notice before me I am unable to consider the merits of his application. Based on the insufficient evidence before me I dismiss the tenants' application.

Conclusion

The tenants' application is dismissed.

The landlords' 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: April 23, 2014

Residential Tenancy Branch

