



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with an Application for Dispute Resolution filed on May 7, 2014, by the Tenant to obtain an Order to cancel a 10 Day Notice for unpaid rent.

The respondent Landlord appeared at the scheduled teleconference hearing; however no one on behalf of the Tenant appeared.

Issue(s) to be Decided

Has the Landlord reinstated this tenancy?

Background and Evidence

The Landlord submitted that the Tenant entered into a verbal month to month tenancy agreement that began on December 1, 2013. The Tenant is required to pay rent of \$750.00 on the first of each month and on or before December 1, 2013 the Tenant paid \$375.00 as the security deposit.

At the outset of this proceeding the Landlord testified that they were withdrawing the 10 Day Notice. The Landlord stated that they did not want to proceed with the eviction because the Tenant has paid up most of the outstanding rent. As of June 23, 2014, the Tenant owed \$230.00 which the Landlord was confident would be paid.

No evidence was provided on behalf of the Tenant's application; as she was not in attendance at the hearing.

Analysis

The 10 Day Notice issued on May 3, 2014, has been withdrawn by the Landlord.

Based on the foregoing, the relevant written submissions, and on a balance of probabilities, I find the Tenant's application is now moot.

Conclusion

I HEREBY DISMISS the Tenant's application, without leave to reapply.

The 10 Day Notice to end tenancy for unpaid rent issued May 3, 2014, is void and is of no force or effect.

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: June 23, 2014

Residential Tenancy Branch

