



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, CNR

Introduction

A hearing was conducted by conference call in the presence of the Tenant and in the absence of the landlord who failed to appear at the scheduled time for the hearing. I waited 10 minutes. The landlord still did not appear. I then proceeded in the absence of the landlord. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the landlord by mailing, by registered mail to where the landlord resides on November 10, 2014. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated November 6, 2014?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The tenancy began on September 1, 2014 and was a one year fixed term. The tenancy agreement provided that the tenant(s) would pay rent of \$400 per month payable on the first day of each month. The tenant testified she was forced to leave the rental unit because of an unfortunate incident with the landlord. The tenant does not wish to return or have the tenancy reinstated.

Analysis

As the tenant does not wish to return to the rental unit or have the tenancy reinstated I ordered that the tenant's application is moot and as a result I dismissed the application without leave to re-apply.

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: December 10, 2014

Residential Tenancy Branch

