



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Hume Investments
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This is an application filed by the tenant for an order to cancel a notice to end tenancy issued for unpaid rent.

The tenant attended the hearing by conference call and gave testimony. The landlord did not attend or submit any documentary evidence. The tenant states that the landlord was served with the notice of hearing package and the submitted documentary evidence in person on November 10, 2014.

Issue(s) to be Decided

Is the tenant entitled to an order cancelling a notice to end tenancy?

Background and Evidence

The tenant states that he was served with a 10 day notice to end tenancy issued for unpaid rent dated November 1, 2014 by having it posted to his rental unit door which he received on November 2, 2014. The tenant confirmed that the notice states that \$368.00 in rent was due on November 1, 2014 which was not paid. The notice displays an effective end of tenancy date of November 12, 2014.

The tenant confirmed in his direct testimony as well as his written details that all of the rent was not paid due to an error on his part. "because of an error on my part we are short ½ the rent and are ask to be allowed to pay it on Nov.19 as well as all of December rent." The tenant stated that this was the only time he has been late in 4 years. The tenant also states that he believes that everything with the landlord is now ok as his rent is now current with the landlord.

Analysis

I accept the undisputed testimony of the tenant and find that the tenant has failed to establish a claim for an order to cancel a notice to end tenancy. The tenant confirmed in his direct testimony that he was served with the notice by posting on the rental unit door and received it in this manner on November 2, 2014. I find that the tenant was properly served with the notice dated November 2, 2014. The tenant has admitted in his direct testimony as well as his written details that the notice was valid and that all of the facts on the notice were accurate. The tenant admitted that he did not pay all of the rent that was due nor did he pay it within the allowed time frame as per the notice.

Conclusion

The tenant's 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: December 10, 2014

Residential Tenancy Branch

