Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes   CNR, MT

Introduction

This is an application to cancel a Notice to End Tenancy that was given for nonpayment of rent.

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing.

I have given the parties the opportunity to present all relevant evidence, and to give oral testimony, and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not to cancel or uphold a Notice to End Tenancy that was given for nonpayment of rent.

Background and Evidence

On March 18, 2015 the tenant was served with a 10 day Notice to End Tenancy for nonpayment of rent.

The tenant applied for dispute resolution on March 23, 2015 stating that she is working with the landlord to pay off the arrears.

As of today's date the tenant states that she has paid off all but $548.00 of the outstanding rent.

The landlord stated that according to his records, there is $1273.00 of rent outstanding as of today's date, although the states that he does not have any record of a $700.00 payment that the tenant claims to have made on April 2, 2015.

Analysis

It is my finding that I do not have reasonable grounds to cancel the Notice to End Tenancy, because even though the parties disagree on the amount outstanding, the tenant does admit that there still is a significant amount of rent outstanding.

Conclusion

This application to cancel a Notice to End Tenancy is dismissed.

The landlord stated that he is not requesting an Order of Possession at this time as he is willing to work with the tenant to bring the rent up to date.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: May 05, 2015

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Residential Tenancy Branch