



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Highland Motel
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This is an application brought by the Tenant(s) requesting an Order canceling a Notice to End Tenancy that was given for nonpayment of rent.

The applicant(s) testified that the respondent(s) were served with notice of the hearing by personal service on February 25, 2016; however the respondent(s) did not join the conference call that was set up for the hearing.

It is my finding that the respondents have been properly served with notice of today's hearing, and I therefore conducted the hearing, in the respondents absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

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

Background and Evidence

The tenants testified that they had fallen behind on the rent and therefore, on February 17, 2016, they were personally served with a 10 day Notice to End Tenancy for nonpayment of rent in the amount of \$1470.00.

The tenants further testified that on March 30, 2016 they paid a total of \$1830.00 to the landlord which covered the full outstanding rent, and also paid \$360.00 of the March 2016 rent.

The tenants are therefore requesting that the Notice to End Tenancy be canceled.

Analysis

I accept the tenant's testimony that they have paid the full outstanding rent that was due on the Notice to End Tenancy, and have paid a further \$360.00 of the March 2016 rent. By accepting rent for the month of March 2016 the landlord has reinstated this tenancy and can no longer end this tenancy with the 10 day Notice to End Tenancy that was issued on February 17, 2016.

Conclusion

It is my decision that the 10 day Notice to End Tenancy that was issued on February 17, 2016 is now void, and this tenancy continues.

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 13, 2016

Residential Tenancy Branch