



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ROYAL MANOR INN
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, CNC

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("Act") for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent, dated September 7, 2017 ("10 Day Notice"), pursuant to section 46; and
- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause ("1 Month Notice"), pursuant to section 47.

"Tenant MM" and the landlord did not attend this hearing, which lasted approximately 5 minutes. Tenant LW ("tenant") attended the hearing and was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The tenant confirmed that he did not have authority to speak on behalf of tenant MM, who is his ex-girlfriend, because he was ordered not to have any contact with her.

During the hearing, the tenant confirmed that he had vacated the rental unit and he was the primary applicant in this application, since it was signed and completed by him. He said that he no longer needed to cancel the landlord's 10 Day Notice and 1 Month Notice.

I notified the tenant that the tenants' entire application was dismissed without leave to reapply as the tenant had vacated the rental unit and tenant MM did not appear at this hearing. I did not issue an order of possession because the landlord was not present to request that one was required.

Conclusion

The tenants' entire application is dismissed without leave to reapply. The landlord is not entitled to an order of possession.

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 01, 2017

Residential Tenancy Branch