



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VETERANS MEMORIAL HOUSING SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with the tenant's application pursuant to section 46 of the *Residential Tenancy Act* (the *Act*) to cancel the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice).

The landlord did not attend this hearing, although I left the teleconference hearing connection open until 10:41 a.m. in order to enable the landlord to call into this teleconference hearing scheduled for 10:30 a.m. The tenant's advocate (the advocate) attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses.

The advocate testified that they sent the landlord a copy of the dispute resolution hearing package by registered mail on December 12, 2017. They said that they had communicated with the landlord and confirmed that the tenant's package was received by the landlord. I am satisfied that the landlord was deemed served with this package on December 17, 2017, the fifth day after its registered mailing.

The advocate testified that the parties had resolved this dispute and there was no need to consider the merits of the tenant's application nor the landlord's 10 Day Notice. The advocate testified that the settlement of this matter occurred on the day before this hearing and that it was too late at that point to notify the Residential Tenancy Branch of the request to cancel this hearing. At the advocate's request this application was withdrawn.

Conclusion

Based on the advocate's undisputed testimony, the tenant's application is hereby withdrawn, with the effect that this tenancy continues until ended in accordance with the *Act*.

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: January 26, 2018

Residential Tenancy Branch