



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with the tenant's application pursuant to section 46 of the *Residential Tenancy Act* (the *Act*) for cancellation of 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 11:11 a.m. in order to enable the landlord to call into this teleconference hearing scheduled for 11:00 a.m. The tenant attended the hearing and was given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. During the hearing, I also confirmed from the online teleconference system that the landlord and I were the only ones who had called into this teleconference.

As the tenant confirmed that they received the 10 Day Notice posted on their door by the landlord on December 3, 2018, I find that the tenant was duly served with this Notice in accordance with section 88 of the *Act*. As the tenant testified that they handed the landlord a copy of the tenant's dispute resolution hearing package on December 12, 2018, I find that the landlord was duly served with this package in accordance with section 89 of the *Act*.

The tenant testified that they vacated the rental unit on December 13, 2018. As such, and as the tenant has surrendered possession of the rental unit to the landlord, the tenant withdrew their application for dispute resolution.

Conclusion

The tenant's application is withdrawn.

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 10, 2019

Residential Tenancy Branch