



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNR, FFT

### Introduction

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

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, dated December 11, 2018 ("10 Day Notice"), pursuant to section 46; and
- authorization to recover the filing fee for this application, pursuant to section 72.

The landlord's agent ("landlord") and the tenant's agent ("tenant") attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. Both agents confirmed that they had permission to represent their respective parties at this hearing and both provided written authorizations for same. This hearing lasted approximately 19 minutes.

At the outset of the hearing, the landlord confirmed that the tenant had vacated the rental unit, the landlord received the keys back from the tenant, and the landlord took back possession of the unit. She informed me that the landlord did not require an order of possession. The tenant confirmed his understanding of same.

I notified both parties that the landlord's 10 Day Notice was cancelled, that I was not issuing an order of possession to the landlord and the tenant's application to recover the \$100.00 filing fee was dismissed without leave to reapply. Both parties confirmed their understanding of same.

Conclusion

The landlord's 10 Day Notice, dated December 11, 2018, is cancelled and of no force or effect. The landlord is not entitled to an order of possession.

The tenant's application to recover the \$100.00 filing fee is dismissed without leave to reapply.

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 22, 2019

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Residential Tenancy Branch