



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Capreit Limited Partnership and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing was scheduled to deal with a tenant's application to cancel a 10 Day Notice to end Tenancy for Unpaid Rent via teleconference call at 11:00 a.m. on today's date. The tenant appeared at the hearing; however, there was no appearance on part of the landlord despite leaving the teleconference call open at least 10 minutes.

The tenant testified that she sent the proceeding package to the landlord via registered mail on February 16, 2019. The tenant orally provided the registered mail tracking number as proof of service. A search of the tracking number confirmed that a package was mailed on February 16, 2019 and successfully delivered on February 19, 2019. I was satisfied the landlord was notified of this proceeding and I continued to hear from the tenant without the landlord present.

The tenant testified that the landlord accepted her payments for February 2019 and March 2019 rent after serving the hearing package. The tenant submitted that she had to file to dispute the 10 Day Notice dated February 4, 2019 because the landlord's agent at that time would not accept her rent cheque. The landlord's manager changed since then and the tenant has been able to pay her rent since the change in management.

Considering the rent has been satisfied and there was no appearance on part of the landlord I accepted that this dispute has been resolved. However, for added certainty, I cancel the 10 Day Notice dated February 4, 2019 and the landlord may not try to enforce it in the future.

Since the tenant did not pay a filing fee for this application I make no award for recovery of a filing fee.

Conclusion

The 10 Day Notice dated February 4, 2019 is cancelled.

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: March 26, 2019

Residential Tenancy Branch