



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CKL INVESTMENTS LTD. and  
[tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, CNR, FFT, MT

### Introduction

The tenant sought the following relief under the *Residential Tenancy Act* (the “Act”):

1. more time in which to file an application for dispute, under section 66 of the Act;
2. an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent (the “10 Day Notice”), under section 46 of the Act;
3. an order cancelling a One Month Notice to End Tenancy for Cause (the “One Month Notice”), under section 47 of the Act; and,
4. recovery of the application filing fee, under section 72 of the Act.

The tenant applied for dispute resolution on February 11, 2020 and paid the filing fee on February 18, 2020. A dispute resolution hearing was held on March 13, 2020 and only the landlord’s two agents (collectively referred to as the “landlord” herein) attended.

### Preliminary Issue: 10 Day Notice and One Month Notice

The landlord explained that the One Month Notice was dealt with in a previous arbitration hearing held on March 9, 2020. From that, the landlord obtained an order of possession. And, regarding the 10 Day Notice, the landlord stated that the tenant paid his rent within the deadline, thus cancelling the notice.

Given that the One Month Notice has been previously dealt with, on the basis of *res judicata* (a legal matter has previously been resolved by a tribunal), I need not consider it further. And, on the basis that the 10 Day Notice was cancelled due to payment of rent, I also need not consider that matter further.

For the reasons given, I hereby withdraw the tenant's application.

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The tenant's application is withdrawn.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 Act.

Dated: March 13, 2020

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Residential Tenancy Branch