



# 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* (the *Act*) for:

- cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46; and
- authorization to recover the filing fee for this application from the landlord, pursuant to section 72 of the *Act*.

GW represented the landlord in this hearing. Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to make submissions, to call witnesses and to cross-examine one another.

The landlord's agent confirmed that a 10 Day Notice for Unpaid Rent was served on the tenant on July 1, 2020. As the Ministerial Order dated June 24, 2020 prohibits the issuance of a Notice to End Tenancy under section 46 of the *Act*, I find the 10 Day Notice dated July 1, 2020 to have no legal effect. Accordingly, the tenant's application to cancel the 10 Day Notice is granted. This tenancy is to continue until ended in accordance with the *Act*.

The Ministerial Order can be accessed through this link:

[https://www.bclaws.ca/civix/document/id/mo/mo/2020\\_m195](https://www.bclaws.ca/civix/document/id/mo/mo/2020_m195) .

I allow the tenant to recover the filing fee for this application. The tenant may choose to give effect to this monetary award by reducing a future monthly rent payment by \$100.00.

**Conclusion**

As the Ministerial Order dated June 24, 2020 prohibits the issuance of a Notice to End Tenancy under section 46 of the *Act*, the Notice to End Tenancy dated July 1, 2020 is of no force or legal effect. This tenancy is to continue until ended in accordance with the *Act*.

I allow the tenant to implement a monetary award of \$100.00 for recovery of the filing fee, by reducing a future monthly rent payment by that amount.

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: August 6, 2020

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Residential Tenancy Branch