



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, CNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the “Notice”) and to have the landlord comply with the Act.

At the outset of the hearing the tenant stated they vacated the rental unit on November 1, 2020, based on the landlord using the property for their own use. A copy of that notice to end tenancy was not provided. The tenant stated they had the right not to pay rent for October 2020.

As the tenancy is legally over when the tenant vacated the premise on November 1, 2020, I find I do not need to consider the merits of the Notice. Should the landlord make a future claim for unpaid rent for October 2020, the tenant can make the argument for compensation.

Therefore, I decline to hear the tenant’s application as it is related to the tenancy continuing.

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 05, 2021

Residential Tenancy Branch