



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, CNR

Introduction

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

- cancel the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the "**10 Day Notice**") pursuant to section 46; and
- cancel the landlord's One Month Notice to End Tenancy for Cause (the "**One Month Notice**") pursuant to section 47.

The tenant did not attend this hearing, although I left the teleconference hearing connection open until 9:42 am in order to enable the tenant to call into this teleconference hearing scheduled for 9:30 am. Landlord's agent ("**LC**") and building manager ("**KT**") attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that LC, KT, and I were the only ones who had called into this teleconference.

At the outset of the hearing, LC advised me that the individual named as landlord on the application ("**AR**") was the former building manager. She stated that the correct identity of the landlord was a corporate entity ("**IH Ltd**", full name on the cover of this decision). IH Ltd is the landlord named on the One Month Notice. As such, I order that the application is amended to change the name of the landlord from AR to IH Ltd.

Additionally, at the outset of the hearing LC advised me that the tenant vacated the rental unit in mid-May 2021. As such, she stated that she took no position on the validity of either the 10 Day Notice or the One Month Notice and consented to their cancellation. Accordingly, I order these Notices cancelled and of no force or effect.

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: July 20, 2021

Residential Tenancy Branch