



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, CNR, FFT

This hearing dealt with the tenant's applications 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;
- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

This matter was set for a conference call hearing at 11:00 a.m. on this date. The landlord participated in the teleconference hearing, but the tenants did not. The landlord advised that the tenants moved out without notice on December 12, 2021 and has taken back possession of the unit. The landlord inquired as to if she was able to receive a monetary order for unpaid rent.

I reviewed the documentation by both parties, however there is some ambiguity in the amount paid versus the amount owed and therefore I am unable to grant a monetary award for unpaid rent to the landlord. This possible outcome was explained to the landlord who indicated they understood. It was also explained that the landlord was at liberty to pursue a monetary order in a separate application, again, they indicated they understood. As this was the tenants application and they chose not to call in, both applications are dismissed in their entirety without leave to reapply.

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 27, 2022

Residential Tenancy Branch