



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing was scheduled to convene at 11:00 a.m. this date concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for unpaid rent or utilities.

The tenant attended the hearing with another person to assist, however no one for the landlord joined the call.

The tenant advised that the landlord has not been served with the Notice of Dispute Resolution Proceeding or any evidentiary material, however the landlord has provided evidentiary material to the Residential Tenancy Branch system and to the tenant.

The tenant advised that rent was paid in full within 5 days of receiving the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities. The landlord has provided evidence that the rent was paid in full on September 14, 2021.

Since the tenant has not served the landlord, I must dismiss the tenant's application. However if rent was paid within 5 days of service, or deemed service, of the Notice, the law specifies that the Notice is of no effect.

Conclusion

For the reasons set out above, the tenant's application is hereby dismissed.

If rent was paid within 5 days of deemed service of the Notice to end the tenancy, the Notice to end the tenancy is of no 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 *Manufactured Home Park Tenancy Act*.

Dated: January 25, 2022

Residential Tenancy Branch