



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Code          CNR, LRE

This hearing was convened as a result of an Application for Dispute Resolution made by the Tenant on August 2, 2023, pursuant to the Residential Tenancy Act (the Act). The Tenant applied for the following relief:

- an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated August 2, 2023 (the 10 Day Notice); and
- an order suspending or setting conditions on the Landlord's right to enter the rental unit.

The Landlord attended the hearing and provided affirmed testimony. The Tenant did not attend the hearing. Accordingly, I dismiss the Tenant's application without leave to reapply.

A copy of the signed tenancy agreement was submitted into evidence. It confirmed the tenancy began on February 1, 2022. The Landlord confirmed that rent of \$1,836.00 per month is due on the first day of each month.

The Landlord testified that the Tenant vacated the rental unit on September 2, 2023, and that an order granting possession of the rental unit is not required. However, the Landlord testified that rent of \$1,836.00 was not paid when due on August 1, 2023, and remains outstanding.

A copy of the 10 Day Notice was submitted into evidence. It is signed and dated, gives the address of the rental unit, states an effective date, states the grounds for ending the tenancy, and is in the approved form. Accordingly, I find it complies with the form and content requirements of section 52 of the Act.

Section 55(1.1) of the Act requires that I grant an order requiring the payment of unpaid rent when application to dispute a notice to end a tenancy under section 46 is dismissed, and the notice complies with the form and content requirements of section 52 of the Act. As noted above, I have found that the Tenant's application is dismissed and that the 10 Day Notice complies with section 52 of the Act. I also accept the Landlords affirmed and unchallenged testimony that rent of \$1,836.00 remains unpaid. Therefore, pursuant to section 55(1.1) of the Act, I grant the Landlord a monetary order for unpaid rent of \$1,836.00.

### Conclusion

The Tenant's application is dismissed without leave to reapply.

Pursuant to section 55(1.1) of the Act, I grant the Landlord a monetary order of \$1,836.00 for unpaid rent. The order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: September 21, 2023

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Residential Tenancy Branch