

## **DECISION**

Dispute Codes      MT, CNR

### Introduction

This is an application filed by the Tenant for more time to make an application to cancel a notice to end tenancy for unpaid rent and if allowed to cancel the 10 day notice to end tenancy for unpaid rent.

Both parties attended the hearing and gave testimony.

The Owner, P.L. attended and clarified that the named respondent D.C. was just a property manager and that he and D.E. another property manager would speak to this dispute. The Tenant made no dispute on this issue.

At the beginning of the hearing the Landlord stated that the Tenant moved out of the rental unit between October 15 - 20, 2011. The Tenant has confirmed this.

The Landlord has filed evidence in relation to his own claim, but has failed to properly file an application for dispute. As such, none of the issues from the Landlord's claims shall be dealt with in this hearing.

The Tenant has also failed to provide any evidence regarding her application for more time. The Tenant's application states that she received the 10 day notice to end tenancy on October 5, 2011(which she has confirmed in her direct testimony) and has filed for dispute resolution on October 13, 2011.

I find on the basis that as the Tenant has voluntarily vacated the rental unit and has failed to provide any evidence for more time to file her application that this application for dispute is dismissed.

### Conclusion

The Tenant's application is dismissed.

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: November 08, 2011.

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Residential Tenancy Branch