



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ATIRA PROPERTY MANAGEMENT INC.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, OPR, MNR, FF

Introduction

This hearing was scheduled for 1:30 p.m. on this date to deal with cross applications. The tenant applied to cancel a 10 Day Notice to End Tenancy for Unpaid Rent. The landlord applied for an Order of Possession for unpaid rent and a Monetary Order for unpaid rent. The tenant appeared at the hearing at 1:39 p.m. and the landlord did not appear at all.

The applications filed by both parties involved a 10 Day Notice to End Tenancy for Unpaid Rent that was posted on the tenant's door on April 10, 2014. The tenant filed to dispute the 10 Day Notice on April 23, 2014. The tenant testified that he served his Application for Dispute Resolution upon the landlord's agent, in person, on April 23, 2014.

I informed the tenant that a tenant has only five days to dispute a 10 Day Notice to End Tenancy. The tenant stated he did not understand the landlord's reasons for issuing the 10 Day Notice to him and was unaware of the requirement to dispute a 10 Day Notice within five days of receiving it.

The tenant stated he was not served with the landlord's Application for Dispute Resolution.

The tenant also stated that he and the landlord have reached a mutual agreement to continue the tenancy provided the tenant fulfills the terms of a payment arrangement to satisfy the rental arrears.

In light of the above described circumstances, I have dismissed both applications. Should the tenant fail to pay the rental arrears as agreed upon, the landlord is at liberty to serve the tenant with another 10 Day Notice to End Tenancy and enforce any subsequent Notice pursuant to the provisions of the Act.

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: June 11, 2014

Residential Tenancy Branch

