



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, OLC, PSF,

### Introduction

On August 4, 2017, the Tenant made an Application for Dispute Resolution to cancel a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities.

The matter was set for a conference call hearing at 9:00 a.m. on this date. The Landlord attended the hearing; however, the Tenant did not.

The Landlord was provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions at the hearing.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Background and Evidence

The Landlord testified that they issued the Tenant a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated August 3, 2017.

The Tenant disputed the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities on August 4, 2017.

The Landlord testified that the Tenant moved out of the rental unit on August 31, 2017.

The Tenant failed to attend the hearing for the dispute of the 10 Day Notice.

The Landlord stated that since the Tenant has moved out, she is not seeking an order of possession.

### Analysis

Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

I find that the Tenant disputed the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities but moved out of the rental unit prior to the hearing, and failed to attend the hearing.

The Tenant's application to cancel the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated August 3, 2017, is dismissed.

### Conclusion

The Tenant's application is dismissed. The Landlord waived their right to receive an order of possession for the rental unit.

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: October 30, 2017

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Residential Tenancy Branch