



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION

Dispute Codes: OC, CNQ

Introduction

The tenant applied for an order cancelling a Notice to End Tenancy given for the reason that the tenant does not qualify for subsidized housing. The tenant also requested an order that the landlord comply with the *Residential Tenancy Act and Regulation*. The hearing was conducted by conference call. The tenant participated but the landlord did not attend. The tenant testified that she served the application for dispute resolution and Notice of Hearing upon the landlord by handing a copy to the landlord's office supervisor at the landlord's business office on August 12, 2008. The landlord's office supervisor told the tenant prior to this hearing that the landlord had rescinded and withdrawn the Notice to End Tenancy.

Conclusion

Based on the tenant's evidence that the landlord informed her that the Notice to End Tenancy was rescinded and based on the landlord's failure to participate in this hearing, although properly served with the application and Notice of Hearing, I order that the 2 Month Notice to End Tenancy that required the tenant to move out of the rental unit by October 31, 2008, be and is hereby cancelled. I confirm that the subject tenancy is valid and continuing.

Date of Decision
September 11, 2008