

# Dispute Resolution Services

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

## Decision

Dispute Codes: CNC

### Introduction

This hearing dealt with the tenant's application for an order setting aside a notice to end this tenancy. Both parties participated in the conference call hearing and had opportunity to be heard.

### Issue(s) to be Decided

Does the landlord have grounds to end this tenancy?

### Background and Evidence

The parties agreed that the tenant was served with a one-month notice to end tenancy which alleged that an unreasonable number of occupants were residing in the rental unit. At the hearing the landlord acknowledged that there were only four occupants in the three-bedroom rental unit and that he had been aware from the outset of the tenancy that these were the parties who would be occupying the rental unit.

### Analysis

I find that the landlord has failed to prove that there are an unreasonable number of occupants in the rental unit. Accordingly I order that the notice to end tenancy be set aside. As a result, this tenancy will continue.

### Conclusion

The notice to end tenancy is set aside.

Dated July 15, 2009.