



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

This hearing was scheduled in response to the tenant's Application for Dispute Resolution, in which the tenant has made application to cancel a Two Month Notice to End Tenancy for Landlord's Use issued on July 27, 2009 and to recover the filing fee from the Tenant for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself, the Application for Dispute Resolution was reviewed, the hearing process was explained to the parties and the parties were provided an opportunity to ask questions in relation to the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present affirmed oral evidence, to cross-examine the other party, and to make submissions during the hearing.

The Notice to End Tenancy issued by the landlord on July 27, 2009 is of no force or effect, as, required by section 52 of the Act, this Notice fails to provide the reason the tenancy is ending. This tenancy will continue.

During the hearing the parties both agreed that the strata rules prohibit renters and that the landlord is being fined \$500.00 per month. The tenant testified that she is seeking a rental but that she has yet to find suitable accommodation that will allow a dog. A mutual agreement to end the tenancy was not reached.

As the tenant's application has merit I find that the tenant is entitled to filing costs and may deduct the \$50.00 filing fee from the next month's rent due.

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: September 21, 2009.

Dispute Resolution Officer