



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      CNC

### Introduction

This matter dealt with an application by the Tenant to cancel a One Month Notice to End Tenancy for Cause dated August 1, 2009.

Section 47(3) of the Act says that a One Month Notice to End Tenancy for Cause must comply with s. 52 of the Act. Section 52(e) says that in order to be effective, a Notice to end tenancy given by a Landlord must be in the approved form. I find that the Notice to End Tenancy served on the Tenant is not on an approved form as it is 30 years old and has not been in use by the Residential Tenancy Branch for approximately 20 years. Furthermore, the Notice refers to sections of the Act that are incorrect. As a result, I find that the Notice is not effective and the tenancy will continue.

### Conclusion

The One Month Notice to End Tenancy for Cause dated August 1, 2009 is cancelled and the tenancy will continue. 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 18, 2009.

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Dispute Resolution Officer