



Dispute Resolution Services

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

DECISION

Dispute Codes: CNC

Introduction

This application was brought by the tenant seeking to have set aside a Notice to End Tenancy for cause served on August 31, 2009 and setting an end of tenancy date of September 30, 2009.

Despite having been served with a copy of the Notice of Hearing served in person on September 11, 2009, the landlord did not call in to the number provided to enable his participation in the telephone conference call hearing. Therefore, it proceeded in his absence.

Background and Evidence

This tenancy began approximately five years ago and rent is \$445 per month.

At the commencement of the hearing and in her written submission of her letter to the landlord of October 20, 2009, the tenant's advocate advised that she believed the building manager had verbally approved continuance of the tenancy. However, in the absence of written confirmation, she attended in the event of any misunderstanding.

Analysis

In the absence of any evidence to the contrary, I find that the Notice to End Tenancy of August 31, 2009 has been retired by the landlord. If not, I find that it should be set aside and it is of no force or effect.

Conclusion

The tenancy continues.