



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNC, RR

Introduction

Some documentary evidence written arguments has been submitted prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the applicant the opportunity to testify at the hearing.

The respondent was served with notice of the hearing by Registered mail that was mailed on November 22, 2009, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issues(s) to be Decided

This was a request to have a Notice to End Tenancy cancelled and a request to allow the tenant to reduced the rent; however the hearing the tenant withdrew the request to allow the tenant to reduced the rent.

Background and Evidence

The tenant testified that:

- She received a Notice to End Tenancy from the landlord that states that she is to vacate the rental unit on November 30, 2009; however the Notice to End Tenancy was not mailed until November 3, 2009.



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Applicant is therefore requesting that the end of tenancy date be changed to December 31, 2009.

Analysis

Any Notice to End Tenancy issued in the month of November 2009 is valid for the last day of the following month, and therefore the end of tenancy date based on this Notice to End Tenancy is December 31, 2009.

Conclusion

I find in favour of the tenant and have issued an Order of Possession to the landlord for 1 p.m. on December 31, 2009.

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: December 23, 2009.

Dispute Resolution Officer