



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with an application by the tenant for an order setting aside a notice to end this tenancy. Despite having been personally served with the application for dispute resolution and notice of hearing on November 21, the landlords did not participate in the conference call hearing.

Issues(s) to be Decided

Does the landlord have grounds to end this tenancy?

Background and Evidence

The tenant presented evidence that she was served with a one month notice to end tenancy on November 8, 2009. The notice is dated October 31, 2009 and alleges that the tenant has allowed an unreasonable number of occupants in the rental unit.

Analysis

The landlords bear the burden of proving that they have grounds to end this tenancy. In the absence of any evidence from the landlords, I find that the landlords have not met their burden. Accordingly I order that the notice to end tenancy dated October 31, 2009 be set aside. As a result the tenancy will continue.

Conclusion

The notice to end tenancy is set aside.

Dated: December 23, 2009
