

Decision

Dispute Codes:

CNC; CNR

Introduction

This is the Tenant's application to cancel a Notice to End Tenancy for Unpaid Rent and a Notice to End Tenancy for Cause.

I reviewed the evidence provided prior to the Hearing. The Tenant gave affirmed testimony and this matter proceeded on its merits.

Issue(s) to be Decided

- (1) Should the Notice to End Tenancy issued November 19, 2009, be cancelled?

Preliminary Matter

The Tenant provided the original Notice to End Tenancy in evidence. The Notice consists of the first page of a 10 Day Notice to End Tenancy for Unpaid Rent, with the unpaid rent portion crossed out, and the second page of a 2 Month Notice to End Tenancy for Cause. Section 52 of the Act provides that in order for a Notice to End Tenancy given by a Landlord to be effective, it must be in the approved form. The Notice to End Tenancy in this case is not in the approved form and therefore is of no force or effect. The Notice is cancelled.

Conclusion

The Notice to End Tenancy issued November 19, 2009, is cancelled. The tenancy remains in full force and effect.

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.

January 20, 2010

Date of Decision