

DECISION

Dispute Codes CNC, FF

Introduction

This hearing was convened upon an application by the tenant seeking to cancel a Notice to End Tenancy given for Cause.

The landlord did not appear. The tenant gave evidence that he served the landlord with this Application for Dispute Resolution on February 11, 2010 by way of registered mail. I am satisfied that the landlord is deemed served with this tenant's application as required by the Act.

Issues(s) to be Decided

Whether the landlord has cause to end this tenancy.

Analysis

When a tenant disputes a Notice to end Tenancy given for Cause the landlord must attend the hearing to give evidence to show that he/she has cause to end the tenancy. I have accepted that the landlord was duly served with the tenant's application. However the landlord has not appeared to show cause. I therefore set aside the Notice to End Tenancy served February 4, 2010.

The tenant paid \$50.00 to make this application and I find he is entitled to recovery of that sum. The tenant may deduct this sum from his next rental payment.

Conclusion

The Notice to End tenancy issued for Cause is set aside. This tenancy shall continue as though no Notice to End Tenancy for Cause had been issued.

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*.