



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNC

Introduction

Some documentary evidence written arguments have 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 hand on December 14, 2010, but did not join the conference call that was set up for the hearing.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request to cancel a Notice to End Tenancy given for repeated late payment of rent.

Background and Evidence

On December 2, 2010 the landlord served the tenant with a one month Notice to End Tenancy that stated that the tenant is repeatedly late paying the rent.

This is an application to cancel that notice.



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Analysis

The landlord did not appear at the hearing, or supply any written submissions to explain why the Notice to End Tenancy has been given and therefore it is my decision that the landlord has not established the reasons for ending this tenancy.

Conclusion

The 1 month Notice to End Tenancy dated December 2, 2010 is hereby cancelled and this tenancy continues.

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: January 07, 2011.

Residential Tenancy Branch