



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNR

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 on December 18 with the application for dispute resolution and notice of hearing, the landlord did not participate in the conference call hearing.

Issue to be Decided

Should the notice to end tenancy be set aside?

Background and Evidence

The evidence of the tenant's advocate is as follows. On or about December 13 the tenant was served with a 10 day notice to end tenancy.

Analysis

The landlord bears the burden of proving that there are grounds to end the tenancy. In the absence of evidence from the landlord, I find that the landlord has not met that burden and accordingly I order that the notice to end tenancy be set aside and of no force or effect.

Conclusion

The notice to end tenancy is set aside.

Dated: January 19, 2011

Dispute Resolution Officer