



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

A substantial amount of documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is a request to cancel a Notice to End Tenancy that was given for cause

Decision and reasons

On May 2, 2011 the landlord personally served the tenants with a Notice to End Tenancy for cause that gave the following reasons:

- Tenant has allowed an unreasonable number of occupants in the unit.
- Tenant has assigned or sublet the rental unit without the landlord's written consent.

In a previous dispute resolution hearing heard on May 20, 2011 Dispute Resolution Officer made a finding that the landlord had given his consent for subletting, and had approved the sub tenants.

Therefore since there has already been a finding that the landlord has given his consent to sublet the rental unit, and approving be sub tenants, I will be setting aside this Notice to End Tenancy.

Conclusion

I hereby set aside the one month Notice to End Tenancy dated May 2, 2011, 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: June 03, 2011.

Residential Tenancy Branch