



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes MT, CNC, LRE, OPT, AAT

### Introduction

This hearing was convened in response to an application filed by the tenant seeking:

1. More time to make this application;
2. To cancel a notice to end tenancy given for cause;
3. Seeking to suspend or set conditions on the landlord's right of entry; and
4. Allow access for the tenant and her guests to the rental unit.

Both parties appeared at the hearing and gave evidence under oath.

### Issue(s) to be Decided

Should the time limit to make this application be extended? Does the landlord have cause to end this tenancy? If not, should his right of entry be suspended or have conditions set upon it? Should the landlord be compelled to allow access to the rental unit to the tenant and/or her guests?

### Background and Evidence

#### Decision - Application for More Time

The tenant says she was served with the Notice to End Tenancy for Cause on November 19, 2011. Her application seeking to dispute that notice was filed on November 24, 2011. As the tenant had 10 days to file her application I find she filed it on time and her application seeking to extend the time for filing is therefore dismissed as not required.

With respect to the Notice to End Tenancy given for cause I find that the landlord has failed to supply sufficient evidence to support the issuance of that Notice. It is therefore set aside with the effect that this tenancy shall continue as though no notice had been issued.

With respect to the tenant's applications seeking to suspend or set conditions on the landlord's right to enter the rental property or to allow the tenant and/or her guests access to the rental property, the landlord is reminded of the provisions of the Residential Tenancy Act. As he responded that he was aware of the provisions and was not disputing that he was required to follow the Act I see no reason to issue an Order compelling him to do so.

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: December 12, 2011.

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Residential Tenancy Branch