



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Issue(s) to be decided

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

Decision and reasons

The applicant/tenant has requested that a 1 month Notice to End Tenancy, which was given for cause, be cancelled.

The burden of proving the validity of a Notice to End Tenancy lies with the landlord however in this case neither the landlord nor the tenant has supplied a copy of the Notice to End Tenancy to this hearing.

Therefore in the absence of any Notice to End Tenancy I have no way of knowing whether or not the notice given was a valid Notice to End Tenancy.

It is my decision therefore, that I will cancel the Notice to End Tenancy, and if the landlords still wish to end this tenancy they will have to serve a new Notice to End Tenancy.

Conclusion

I hereby order that the 1 month Notice to End Tenancy, dated December 30, 2011 is 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 31, 2012.

Residential Tenancy Branch