



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

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 with the application for dispute resolution and notice of hearing on December 22, 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 tenant testified that on December 13, 2011, he was served with a 10 day notice to end tenancy for unpaid rent.

Analysis

The landlord bears the burden of proving that she has grounds to end the tenancy. As the landlord did not appear at the hearing to present any evidence, I find that she did not meet her burden of proof and therefore I order that the notice to end tenancy be set aside and of no force or effect. As a result, this tenancy will continue.

Conclusion

The notice to end tenancy is set aside. 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 05, 2012

Residential Tenancy Branch