



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with an application by the tenant to cancel a notice to end tenancy for cause. The tenant, an advocate for the tenant and three agents for the landlord participated in the teleconference hearing.

Preliminary Issue – Invalid Notice to End Tenancy

On January 31, 2012, the landlord served the tenant with a notice to end tenancy for cause. The second page of the notice did not indicate any of the prescribed reasons under the Act for ending the tenancy.

When a tenant is served with a notice to end tenancy for cause, it is essential that the notice indicate the reasons the landlord seeks to end the tenancy. The landlord's failure to indicate the reasons on the notice is a fatal flaw to the notice, not merely a clerical error that can be corrected. I therefore find that the notice to end tenancy dated and served on January 31, 2012 is not valid.

Conclusion

The notice to end tenancy is cancelled, with the effect that the 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: February 28, 2012.

Residential Tenancy Branch