



# 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 the Tenant's Application for Dispute Resolution, seeking an order to cancel a one month Notice to End Tenancy issued by the Landlord for alleged cause.

The Tenant appeared, gave affirmed testimony and was provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me.

The Tenant testified that on March 11, 2012, she personally served her Application and the Notice of this Hearing on the Agent for the Landlord who issued the Notice. Despite this, no one appeared on behalf of the Landlord. I find the Landlord has been duly served in accordance with the Act.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

### Issues(s) to be Decided

Is the Notice to End Tenancy valid or should it be cancelled?

### Background and Evidence

The Tenant testified and submitted evidence she was served with the one month Notice to End Tenancy by an Agent for the Landlord on March 1, 2012. The Notice has an effective date of March 31, 2012. The Notice indicates the Landlord is alleging they have cause to end the tenancy.

The Tenant testified she did not know what the Notice was about. She testified she had received no warning letters or other evidence from the Landlord regarding the alleged cause to end the tenancy.

Analysis

Based on the above, the uncontradicted evidence and testimony, and on a balance of probabilities, I allow the Application of the Tenant and **I order that the Notice to End Tenancy is cancelled and is of no force or effect.**

I find there has been no evidence provided from the Landlord to support the Notice. Therefore, I find the Notice is not valid and must be cancelled.

This tenancy will continue until it is ended in accordance with the Act.

This decision is final and binding on the parties, except as provided under the Act, and 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: March 20, 2012.

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Residential Tenancy Branch