



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      Tenant    CNR  
                                 Landlord   OPR, MNR, MNSD, FF

### Introduction

This hearing dealt with cross applications for Dispute Resolution filed by both the Landlord and the Tenant.

The Landlord filed seeking an Order of Possession, a monetary order for unpaid rent, to retain the Tenant's security deposit and to recover the filing fee for this proceeding.

The Tenants filed to obtain an order to cancel the Notice to End Tenancy.

Service of the hearing documents by the Landlord to the Tenant were done by personal delivery on February 15, 2012 in accordance with section 89 of the Act.

Service of the hearing documents by the Tenants to the Landlords were done by registered mail on February 12, 2012 in accordance with section 89 of the Act.

At the start of the conference call the Tenant said the Landlord only serviced him the front page of the 10 Day Notice to End Tenancy and not the second page that explains the Notice and the actions that the Tenant would have open to him. Page one of the 10 Day Notice to End Tenancy states that the Landlord **must** give both pages to the Tenant. Consequently the 10 Day Notice to End Tenancy dated February 4, 2012, that the Landlord served to the Tenant on February 4, 2012 is not a valid Notice. Therefore the Landlord's application is dismissed as the Notice to End Tenancy is not valid.

Further as the Notice to End Tenancy is not valid the Tenant's application to cancel the 10 Day Notice to End Tenancy is granted. I cancel the Landlord's 10 Day Notice to End Tenancy dated February 4, 2012 and I order the tenancy to continue as specified in the tenancy agreement.



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## Conclusion

The Landlord's application is dismissed with leave to reapply.

I order the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated February 4, 2012 to be cancelled and the tenancy is ordered to continue as stated in the tenancy agreement.

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*.

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Residential Tenancy Branch