



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 pursuant to section 47 of the *Residential Tenancy Act* (the *Act*) for cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice). The landlord did not attend this hearing, although I waited until 1:20 p.m. in order to enable the landlord to attend this hearing in the Burnaby Office of the Residential Tenancy Branch scheduled for 1:00 p.m. The tenant attended the hearing and was given a full opportunity to be heard, to present evidence and to make submissions.

The tenant testified that after receiving the landlord's 1 Month Notice, he applied for dispute resolution and sent a copy of his dispute resolution hearing package to the landlord by registered mail on May 26, 2012. He provided a copy of the Canada Post Tracking Number to confirm this mailing. I am satisfied that the tenant served this package to the landlord in accordance with the *Act*.

Issues(s) to be Decided

Should the landlord's 1 Month Notice be cancelled?

Analysis

In the absence of any written evidence from the landlord or any attendance by the landlord at this hearing, I allow the tenant's application to cancel the landlord's 1 Month Notice.

Conclusion

I cancel the landlord's 1 Month Notice with the effect that 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: June 18, 2012

Residential Tenancy Branch