



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing was convened on the tenants' application of September 7, 2012 to have set aside a Notice to End Tenancy for cause, dated August 27, 2012 and setting an end of tenancy date of September 27, 2012, automatically corrected to September 30, 2012 by section 53 of the Act.

Despite having been served with the Notice of Hearing in person on September 10, 2012, the landlord's representative did not call in to the number provided to enable his or her participation in the telephone conference call hearing. Service was verified by the tenant's advocate, a support worker, who stated that he had spoken recently with the landlord about the hearing and was given to believe that the landlord intended to participate.

The tenant and support worker gave evidence that there have been no problems with the tenancy since the single incident that resulted in a breach letter and the Notice to End Tenancy, both dated August 27, 2012.

In the absence of any evidence from the landlord, I find that the Notice to End Tenancy of August 27, 2012 is set aside and of no further effect. 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: October 03, 2012.

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Residential Tenancy Branch