



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 1:43 p.m. in order to enable him to connect with this teleconference hearing scheduled for 1:30 p.m. The tenant and his advocate attended the hearing and were given a full opportunity to be heard, to present evidence and to make submissions. The tenant testified that he received the landlord's 1 Month Notice posted on his door on September 28, 2012. The tenant's advocate (the advocate) testified that she sent the landlord a copy of the tenant's dispute resolution hearing package by registered mail on October 5, 2012. She provided the Canada Post Tracking Number to confirm this registered mailing. I am satisfied that both of the above documents were served in accordance with the *Act*.

Issues(s) to be Decided

Should the landlord's 1 Month Notice be cancelled?

Background and Evidence

The tenant testified that his tenancy commenced in July 2007. His current monthly rent is set at \$520.00, payable in advance on the first of each month.

At the hearing, the tenant testified that the landlord had told him that the landlord was no longer planning to pursue the 1 Month Notice issued to the tenant on September 28, 2012.

Analysis

I am satisfied by the tenant's undisputed testimony that the landlord is no longer planning to pursue an end to this tenancy on the basis of the 1 Month Notice. As such, I allow the tenant's application to cancel the 1 Month Notice, with the effect that this tenancy continues.

Conclusion

I allow the tenant's application to cancel the 1 Month Notice. 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: November 16, 2012

Residential Tenancy Branch

