



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

This hearing dealt with an application by the tenants to cancel a notice to end tenancy for landlord's use. One tenant and an advocate for the tenant participated in the teleconference hearing. The tenant provided evidence that she personally served the landlord with the application for dispute resolution and notice of the hearing on December 17, 2012. I accepted the tenant's evidence and found that the landlord had been served with notice of the hearing.

This matter was set for hearing by telephone conference call at 1:00 p.m. on this date. The line remained open while the phone system was monitored for ten minutes but the landlord did not call into the hearing.

When a tenant applies to cancel a notice to end tenancy, the landlord must attend the hearing and provide evidence that the notice is valid. As the landlord did not attend the hearing by 1:10 p.m., I cancelled the notice to end tenancy.

Conclusion

The notice to end tenancy is cancelled, with the effect that 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: January 17, 2013

Residential Tenancy Branch

