



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 for Dispute Resolution seeking to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by the tenant and her advocate.

The tenant testified the landlord was served with the notice of hearing documents and this Application for Dispute Resolution, pursuant to Section 59(3) of the *Residential Tenancy Act (Act)* by registered mail on February 14, 2013 in accordance with Section 89. As per Section 90, the documents are deemed received by the landlord on the 5th day after it was mailed.

Based on the testimony of the tenant, I find that the landlord has been sufficiently served with the documents pursuant to the *Act*.

While the tenant's advocate was listed as an applicant on the tenant's Application for Dispute Resolution, I have determined she is not a party to this hearing and I amend the tenant's Application to exclude the tenant's advocate as an applicant.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to cancel a 1 Month Notice to End Tenancy for Cause issued to the tenant on February 1, 2013 with an effective date of March 31, 2013, pursuant to Section 47 of the *Act*.

Conclusion

In the absence of the respondent landlord and with no evidence to establish the landlord had cause to end the tenancy, I grant the tenant her Application and cancel the 1 Month Notice to End Tenancy for Cause issued on February 1, 2013.

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: March 07, 2013

Residential Tenancy Branch

