



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Cyclone Holdings Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes: CNC

### Introduction

This hearing was scheduled in response to an application by the tenants for cancellation of a notice to end tenancy for cause. Both tenants and one witness for the tenants attended and gave affirmed testimony.

The tenants testified that the application for dispute resolution and notice of hearing (the “hearing package”) was served in-person on June 8, 2013 on “SR,” the landlord’s agent. The tenants testified that documentary evidence in support of their application was subsequently served in-person on June 28, 2013 on “Mark,” another one of the landlord’s agents. The tenants’ witness testified that he was present to witness both occasions when the aforementioned documents were served on agents representing the landlord. Despite this, nobody appeared at the hearing to represent the landlord.

### Issue(s) to be Decided

Whether the tenants are entitled to the above under the Act, Regulation or tenancy agreement.

### Background and Evidence

Pursuant to a written tenancy agreement, the term of tenancy is from December 20, 2012 to March 31, 2013. The written agreement has not been thoroughly completed in regard to what will occur at such time as March 31, 2013 arrives. In any event, the tenants testified that they presently still continue to reside in the unit. Further, the tenants testified that the landlord has not issued a 1 month notice to end tenancy for cause. Additionally, there is no application whatsoever before me from the landlord.

### Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)

Based on the affirmed, undisputed testimony of the tenants and their witness, I find that in the apparent absence of a notice to end tenancy for cause having been issued, and in the apparent absence of an application by the landlord, the tenancy presently continues uninterrupted.

### Conclusion

The tenants' application is hereby dismissed and the tenancy continues in full force and effect.

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: July 09, 2013

---

Residential Tenancy Branch