



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC

Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy and for more time to make the application.

At the start of the conference call the Parties were made aware that they did not provide a copy of the 1 Month Notice to End Tenancy for Cause for the Hearing. Without a copy of the 1 Month Notice to End Tenancy for Cause it is not possible to determine if the Notice is valid or not. The Tenant said the 1 Month Notice to End Tenancy for Cause only had the first page so no reasons were given for the Notice to be issued. If this is the case then the Notice to End Tenancy for Cause would not be a valid Notice and the tenancy would continue as agreed in the tenancy agreement. The Landlord said that they reissued the 1 Month Notice to End Tenancy for Cause with both pages and with reasons for the Notice. Both parties agreed they did not send in a copy of the Notice to End Tenancy for the Hearing; therefore it is not possible to rule on the Notice to End Tenancy. Consequently the Tenant's application is dismissed with leave to reapply.

Conclusion

The Tenant's application is dismissed with leave to reapply due to lack of evidence.

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 22, 2013

Residential Tenancy Branch