



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, MNDC

Introduction

This hearing dealt with an application by the tenant for an order to set aside a notice to end tenancy and for compensation for the false allegations against him. Both parties attended the hearing and had opportunity to be heard.

Issue to be Decided

Does the landlord have grounds to end this tenancy? Is the tenant entitled to compensation?

Background and Evidence

The tenancy began on March 12, 2012. On August 30, 2013, the landlord served the tenant with a notice to end tenancy for cause. The tenant applied to dispute the notice in a timely manner. Neither party filed a copy of the notice.

The tenant stated that the allegations in the notice to end tenancy are false and for this reason he is claiming compensation from the landlord.

The landlord did not provide any documentary evidence to support his reasons for wanting the tenancy to end. The landlord stated that he did not know that he had to.

Analysis

In order to support the notice to end tenancy, the landlord must prove at least one of the grounds alleged. The landlord made allegations that the tenant denies. Neither party filed a copy of the notice and therefore I am unable to determine what the allegations are.

Since the landlord did not file any evidence to support his allegations, I am unable to find that the landlord has cause to end the tenancy.

I therefore allow the tenant's application and set aside the landlord's notice to end tenancy. As a result, the tenancy shall continue in accordance with its original terms.

The tenant made a claim for compensation in the amount of \$500.00 for the allegations made by the landlord in the notice to end tenancy, which he states are false. Since the tenant did not provide any evidence about what the allegations are and why they are false, his claim for compensation is dismissed.

Conclusion

The notice to end tenancy is set aside and the tenancy will continue. The tenant's claim for compensation is dismissed.

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 17, 2013

Residential Tenancy Branch

