



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Langley Lions Senior Citizens Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, O

This is an application filed by the Tenant for an order cancelling the notice to end tenancy issued for cause and an order for the Landlord to comply with the Act.

Both parties attended the hearing by conference call and gave testimony. The Tenant did not file any documentary evidence. The Landlord states that an evidence package was served upon the Tenant by posting it to the rental unit door. The Tenant disputes this stating that no evidence has been received. The Tenant explains that he is legally blind and cannot see. The Landlord's Agent, L.W. states that she posted the evidence in a brown envelope on the Tenant's door on October 10, 2013. The Tenant's aid worker, P.R. states that the Tenant would not be able to see the brown envelope on the door and that it was likely removed by another party. I find that the Tenant has failed to submit a copy of the notice to end tenancy issued for cause and I also find that the Landlord has failed to satisfy me that the Tenant was sufficiently served with the evidence so that he could respond to it. The Landlord's evidence is excluded from this hearing. The Tenant's application is in relation to a verbal altercation for the reason for cause. The Landlord's evidence for the dispute is in relation to bedbugs in the rental unit. I find that I am unable to proceed based upon the evidence submitted by both parties. Both parties are in dispute and have failed to provide sufficient evidence to satisfy me what the claim for cause is and I dismiss the Tenant's application for dispute resolution with leave to reapply. **Leave to reapply is not an extension of any applicable limitation period.**

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: November 15, 2013

Residential Tenancy Branch

