



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with an application by the tenant to cancel a Notice to End Tenancy.

The tenant participated in the conference call hearing and gave testimony. The landlord did not participate.

The tenant said he served the landlord personally with the Notice of a Dispute Resolution Hearing approximately two days after he provided his evidence to the RTB. The RTB file indicates that the tenant provided his evidence on December 17, 2013. I find that the landlord was served on December 19, 2013.

Issue(s) to be Decided

Should the Notice to End Tenancy be cancelled?

Background and Evidence

The tenant provided a copy of the form "10 Day Notice to End Tenancy for Unpaid Rent or Utilities – Proof of Service", which is signed by the landlord. The tenant stated that this was the only document he received from the landlord regarding a possible end to his tenancy. He did not receive the completed form "10 Day Notice to End Tenancy for Unpaid Rent or Utilities" from the landlord.

Analysis

A landlord may only end a tenancy by one of the methods specified in the Act. In this case, there is no evidence to indicate that the landlord has taken appropriate steps to end the tenant's tenancy.

Conclusion

The tenant's application is dismissed. No proper notice to end tenancy was served on the tenant and so the application is unnecessary.

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: January 02, 2014

Residential Tenancy Branch

