



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, O

Introduction

This was a hearing with respect to applications by the tenant and by the landlord. The tenant applied to cancel a one month Notice to End Tenancy. The landlord applied for an order for possession. The hearing was conducted by conference call. The named tenant attended with his advocate and the landlord called in and participated in the hearing. According to the parties, the named tenant Mr. T.R. moved out of the rental unit at the beginning of January.

Issue(s) to be Decided

Should the Notice to End Tenancy dated December 10, 2013 be cancelled?
Is the landlord entitled to an order for possession?

Background and Evidence

The rental unit is a basement suite in the landlord's house in Surrey. The tenancy began in 2012 the rental unit was occupied by the two named tenants until the tenant T. R. moved out in early January. The landlord served the tenants with a one month Notice to End Tenancy for cause dated December 10, 2013. The Notice to End Tenancy did not specify any reason for ending the tenancy. The tenant applied to cancel the Notice to End Tenancy on January 8, 2014. The landlord filed an application seeking an order for possession on January 13, 2014. He wishes to end the tenancy because the person he regards as the main tenant has moved out and he is not receiving payment of the full rent for the unit since that tenant moved.

Analysis

The Notice to End Tenancy given December 10, 2013 is invalid because it did not state any reason for ending the tenancy. I therefore order that the Notice be and is hereby

cancelled and the tenancy will continue until ended in accordance with the *Residential Tenancy Act*.

Conclusion

The landlord's application for an order for possession is dismissed. The landlord is free to serve another Notice to End Tenancy on proper grounds and he may apply again for an order for possession and a monetary order if appropriate pursuant to a new Notice to End Tenancy.

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: February 20, 2014

Residential Tenancy Branch

