



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

The tenant applies to cancel a ten day Notice to End Tenancy dated August 8, 2014. The Notice claims arrears of \$2328.00, which I understand to be composed of rent increases the landlord claims to have made over the past two or three years and which the landlord claims the tenant has not paid.

The tenant requested a face to face hearing. She filed a letter dated September 23, 2014 from her physician of twenty years that states, "I am writing to confirm that [the tenant] has a significant hearing impairment and therefore has difficulty communicating on the phone. It is therefore recommended that any communications that she has should be done in person."

The landlord's representatives object that the arrears are very long overdue, that the tenant seemed to be hearing what was being said at this hearing and that her request is being made long after the August 13, 2014 date of her application.

As stated at hearing, it is not for me to determine whether the tenant's doctor is correct or not. Despite the delay that may result, I consider it fundamental that a fair hearing be conducted and, based on the doctor's letter, a fair hearing requires that the parties be present, face to face.

I therefore adjourn the hearing of this matter to a face to face hearing at the Residential Tenancy Office in Burnaby, BC at a date and time to be set by the Residential Tenancy Branch. I request of the Branch that the hearing date be as soon as possible.

I have not heard evidence surrounding the issues raised by the application and am not seized of the matter. It may be heard by any arbitrator designated by the Director.

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 09, 2014

Residential Tenancy Branch

