



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent although duly served. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the landlord by mailing, by registered mail to where the landlord carries on business on August 29, 2014. It was accepted for service by the landlord on September 2, 2014. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issue to be decided is whether the tenants are entitled to an order cancelling the Notice to End Tenancy dated August 26, 2014 and setting the end of tenancy for September 28, 2014.

Background and Evidence

The tenancy approximately 4 or 5 years ago. The present rent is \$1226.40 per month payable in advance on the first day of each month. The tenant(s) was uncertain as to the amount of the security deposit.

Analysis

The landlord has the burden of proof to establish sufficient cause to end the tenancy on a balance of probabilities. The landlord failed to attend the hearing and failed to present any evidence.

Determination and Orders

In the absence of evidence and submission from the landlord I determined that the landlord has failed to establish sufficient cause to end the tenancy. **As a result I order that the Notice to End Tenancy dated August 26, 2014 be set aside.** The tenancy shall continue with the rights and obligations of the parties remaining unchanged.

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 22, 2014

Residential Tenancy Branch

