



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes FF, MNR, MNSD, OPB, OPC, OPR, CNC, ERP, MNDC, MNR,

 OLC

Introduction

This decision deals with two applications for dispute resolution, one brought by the tenant, and one brought by the landlords. Both files were to be heard together however the landlord did not join the conference call that was scheduled for the hearing.

The landlord's application was therefore dismissed with leave to reapply, and I dealt solely with the tenant's application.

Issue(s) to be Decided

First of all it is my decision that I will not deal with all the issues that the tenant has put on the application. For claims to be combined on an application they must related.

Not all the claims on this application are sufficiently related to the main issue to be dealt with together.

I therefore will deal with the request to cancel a one-month Notice to End Tenancy, and I dismiss the remaining claims with liberty to re-apply.

Background and Evidence

On September 28, 2014 the tenant was personally served with a one-month Notice to End Tenancy citing the following reasons:

- tenant or person permitted on the property by the tenant has:
 - significantly interfered with or unreasonably disturbed another occupant or the landlord
 - seriously jeopardized the health or safety or lawful right of another occupant or the landlord
 - put the landlord's property at significant risk

and

- tenant has engaged in illegal activity that has, or is likely to:
 - adversely affect the quiet enjoyment, security, safety or physical well-being of another occupant or the landlord
 - jeopardized the lawful right or interest of another occupant or the landlord

The tenant's application is a request to have this Notice to End Tenancy cancelled.

Analysis

The landlord did not appear at today's hearing to present any evidence in support of the Notice to End Tenancy, and therefore I allow the tenant's request to cancel the notice.

Conclusion

Landlord's application

The landlord's application is dismissed in full with leave to reapply, except for the request for an Order of Possession based on the one-month Notice to End Tenancy as that notice has been canceled in the tenants application.

Tenants application

The tenant's request to cancel a one-month Notice to End Tenancy dated September 27, 2014 is granted and this tenancy continues.

The remaining portions of the tenants claim are dismissed with leave to reapply.

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 18, 2014

Residential Tenancy Branch

