



Dispute Resolution Services

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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 agent for the tenant and in the absence of the landlord although duly served. The landlord failed to contact the telephone bridge number at the scheduled start of the hearing. The telephone line conference line remained open and the phone system was monitored for ten minutes. The landlord failed to appear. I then proceeded with the hearing in the absence of the landlord. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

The agent for the landlord testified that she served the landlord by mailing a copy of the Application for Dispute Resolution/Notice of Hearing by registered mail to where the landlord carries on business on September 24, 2014. She further testified that she talked to the representative of the landlord by telephone in late September or early October and the representative of the landlord acknowledged receipt of the Application for Dispute Resolution and that he was not interested in continuing with the eviction process. 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 tenant is entitled to an order cancelling the one month Notice to End Tenancy dated August 26, 2014?

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. I determined that the landlord has failed to establish sufficient cause to

end the tenancy. As a result I dismissed order that the one month Notice to End Tenancy dated August 26, 2014 be cancelled. 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: November 06, 2014

Residential Tenancy Branch

