



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Okanagan Strata Management  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, FF

This hearing dealt with an application by the tenant for an order setting aside a notice to end this tenancy dated September 24, 2014 (the "Notice"). The tenant received the Notice on September 24 and file her application to dispute the Notice on September 26. The tenant testified that she personally served the landlord with the application for dispute resolution and notice of hearing on October 3, 2014. The landlord did not participate in the conference call hearing.

The landlord bears the burden of proving that they have grounds to end the tenancy. As the landlord submitted no evidence and did not appear to testify, I find that the landlord has failed to meet that burden and I find that the landlord does not have grounds to end the tenancy. I order that the Notice be set aside and of no force or effect.

As the tenant was successful in her application, I find that she is entitled to recover the \$50.00 filing fee paid to bring her claim and I grant her a monetary order under section 67 for that sum. This order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

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 17, 2014

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Residential Tenancy Branch

