



# 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 one month Notice to End Tenancy for cause dated December 30, 2014.

The landlord has not provided any particulars or details of the grounds for the eviction Notice beyond the boxes check marked on the second page of the government approved Notice. The tenant is attending this hearing uncertain of exactly what he will be required to defend himself against.

It is a fundamental principle of justice that a person defending himself is entitled to know what he is defending himself against. In this instance the landlord's representative has come prepared with witnesses to prove the tenant engaged in conduct such as threatening other tenants and causing damaged to the premises. Fairness dictates that the tenant know who he is alleged to have threatened, how and when. He is entitled to know what damage the landlord is going to claim the tenant has caused. The tenant is entitled to know this a reasonable time before the hearing in order that he can prepare to meet those allegations with evidence of his own.

The landlord's representative requested an adjournment of this hearing in order to provide the necessary particulars. I decline. The tenant and his advocate are here ready to proceed. Adjourning the matter will lead to a delay, possibly of months, during which time the tenant will be uncertain about whether his tenancy is going to continue or not.

I grant the tenant's application and dismiss the Notice.

The landlord is free to issue another Notice for cause arising after the date of this Notice or for cause arising before it but of which the landlord was unaware.

This decision was given orally and 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: January 23, 2015

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Residential Tenancy Branch

