



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 0588848 BC LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, MT

Introduction

This matter dealt with an application by the Tenants to cancel a Notice to End Tenancy for Cause and for more time to make the application.

At the start of the hearing the Tenant said they needed more time to file the application as she has a health issue and the other tenant was away working. As a result the Tenants did not file their application to dispute the 1 Month Notice to End Tenancy for Cause dated December 27, 2014, until January 19, 2015. The Act and the second page of the 1 Month Notice to End Tenancy for Cause states a tenant may dispute the notice within 10 days of receiving the Notice to End Tenancy. The Tenants did not dispute the 1 Month Notice to End Tenancy for Cause within the time lines.

Further the Tenant did provide a Doctor's note saying the female Tenant was suffering from generalized anxiety disorder, but the note did not mention anything about the female Tenant being unable to make her application to dispute the Notice to End Tenancy. As well the Tenant submitted a work schedule for the male Tenant which shows the male Tenant was working from January 2 to January 30, 2015. The schedule does not show the male Tenant working December 28, 29, 30 or 31, 2014. Consequently I find the Tenants have not proven they needed more time to make the application. I dismiss the Tenants' application for more time and as a result the Tenants' application is not within the timelines to dispute the Notice to End Tenancy dated December 27, 2014. Consequently, I dismiss the Tenants' application without leave to reapply.

Conclusion

The Tenants application is dismissed without 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: February 16, 2015

Residential Tenancy Branch

