



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC OLC

Introduction

This hearing dealt with an application by the tenant for an order cancelling the landlord's notice to end tenancy dated August 29, 2015 and an order that the landlord comply with the provisions of the Act.

Issue(s) to be Decided

Is the tenant entitled to the requested orders?

Background and Evidence

This tenancy began on July 1, 2015 and was supposed to be for a fixed term ending on September 30, 2015 and then continuing on a month to month basis thereafter. On August 29, 2015 the landlord sent a letter to the tenants advising them that he did not want to extend their lease past the September 30th term end date. The tenants disputed the notice on September 4, 2015.

The tenants dispute the notice on the grounds that it was not on the proper form and that the landlord had no grounds to terminate the tenancy.

The landlord acknowledged that he had not used the proper form.

Analysis

The landlord served the tenants with a letter on August 29, 2015 basically giving them one month's notice of termination of their tenancy. The landlord failed to use the correct form for this purpose. Because the incorrect form was used, I need not go into the grounds for which the letter was sent. The tenants are entitled to an order cancelling the notice given by the landlord on August 29th.

Conclusion

I order that the letter notice given to the tenants dated August 29, 2105 be and is hereby set aside.

I order that the landlord use the forms required under the Act for any future notice given to the tenants.

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 09, 2015

Residential Tenancy Branch

