



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

Dispute Codes CNR FF O

Introduction

This hearing dealt with an application by the tenant to cancel a notice to end tenancy for unpaid rent. The tenant and the landlord attended the teleconference hearing.

Preliminary Issues

The tenant stated that on November 6, 2015 he filed a Certificate of Pending Litigation regarding the property in question. The tenant also stated that he only received the first page of the notice to end tenancy. The landlord stated that he served both pages of the notice. Neither party submitted a copy of the notice. Additionally, the landlord submitted to the Branch two pages of evidence that he did not serve on the tenant.

I have adjourned the hearing to allow the parties to serve documents, as follows:

The tenant must serve on the Branch and the landlord a copy of the Certificate of Pending Litigation, a copy of the notice to end tenancy and any evidence to support his testimony that he only received the first page of the notice.

The landlord must serve on the Branch and the tenant a copy of the notice to end tenancy and any evidence to support his testimony that he served the tenant with both pages of the notice. The landlord must also serve on the tenant a copy of the two pages of evidence that he failed to previously serve on the tenant.

The parties must submit and serve the above-noted evidence on or before November 27, 2015.

Conclusion

The hearing is adjourned.

The landlord and the tenant are ordered to submit and serve evidence, as specified above, on or before November 27, 2015. I will consider the evidence and determine whether it is appropriate to issue a final decision or reconvene the hearing.

Aside from the above-noted evidence, no further evidence, amendments or cross-applications may be submitted or joined with this matter.

This interim 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 9, 2015

Residential Tenancy Branch

