



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Boundary Ridge Apts.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing convened pursuant to the tenants' application to cancel a notice to end tenancy for cause. The tenants called in to the teleconference hearing but the landlord did not.

### Preliminary Issue – Landlord not in Attendance at Hearing

On November 27, 2015 the landlord faxed evidence regarding this file to the Branch. I therefore find that the landlord was served with the tenants' application to cancel the notice and notice of the hearing.

The hearing commenced as scheduled at 9:30 a.m. on December 9, 2015. The tenants and I waited on the line for 10 minutes but the landlord did not appear.

When a tenant applies to cancel a notice to end tenancy, the landlord has the burden of proof to establish that the notice is valid. The landlord did not attend the hearing, and I therefore cancelled the notice to end tenancy for cause dated September 29, 2015.

### Conclusion

I cancel the notice to end tenancy for cause dated September 29, 2015. The tenancy continues until such time as it ends in accordance with the Act.

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: December 10, 2015

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Residential Tenancy Branch

