



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

This was a hearing with respect to the tenant's application to cancel a one month Notice to End Tenancy for cause. The hearing was conducted by conference call. The tenant and the landlord called in and participated in the hearing.

Issue(s) to be Decided

Should the Notice to End Tenancy dated December 15, 2015 be cancelled?

Background and Evidence

The rental property is a house in Vancouver. The tenant rented a room in the house from the landlord. The tenancy began February 1, 2015. Monthly rent was \$500.00 and the tenant paid a security deposit of \$250.00 at the start of the tenancy.

The landlord served the tenant with a one month Notice to End Tenancy for cause dated December 15, 2015. The Notice required the tenant to move out of the rental unit by January 15, 2016. The Notice to End Tenancy failed to state any reason or ground for the Notice to End Tenancy. On December 24, 2015 the tenant filed an application to cancel the Notice to End Tenancy.

Since the tenant filed the application for dispute resolution, he has moved out of the rental unit and the tenancy has ended.

Analysis

The Notice to End Tenancy given by the landlord failed to state any reason for seeking to end the tenancy and I find that the Notice given by the landlord was therefore invalid. Because the tenancy ended when the tenant voluntarily moved out of the rental unit, there is no longer any basis for the tenant's application to cancel the Notice to End Tenancy and the tenant's application is dismissed.

Because the tenant was put to the expense of filing an application to dispute an invalid Notice to End Tenancy, I find that the tenant is entitled to recover the \$50.00 filing fee for his application and I grant the tenant a monetary order under section 67 in the amount of \$50.00. This order may be registered in the Small Claims Court and enforced as an order of that court.

Conclusion

The tenant's application has been dismissed because the tenancy has ended, but the tenant has been awarded the filing fee for his application.

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 11, 2016

Residential Tenancy Branch

