



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL FF

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

The tenant submitted evidence to establish that the landlord was served with the application for dispute resolution and notice of hearing by registered mail sent on February 26, 2016. Section 90 of the Act states that a document is deemed to have been served five days after mailing. I found that the landlord was deemed served with notice of the hearing on March 2, 2016.

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. As the landlord did not appear in the hearing, I cancelled the notice to end tenancy dated February 22, 2016. The tenancy will continue until 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: April 15, 2016

Residential Tenancy Branch