



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, O

Introduction

This hearing addressed the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") to:

- Cancel a 2 Month Notice to End Tenancy for Landlord Use of Property ("2 Month Notice"), pursuant to section 47

The landlord did not participate in the conference call hearing, which lasted approximately 12 minutes. The tenant and tenant's agent (the "tenant") attended the hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The tenant testified that the tenant's application for dispute resolution and supporting documents (the "Application") were forwarded to the landlord via email and hand delivery. The tenant stated that the documents were served in accordance with the Act but could not specify the specific date of service. In the absence of evidence or landlord testimony confirming service of the Application, I dismiss the tenant's application with leave to reapply.

Conclusion

I dismiss the tenant's application to cancel a 2 Month Notice with leave to re-apply. Leave to reapply is not an extension of any applicable limitation period.

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 29, 2016

Residential Tenancy Branch

