



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction:

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order for more time to make this application.
- b. An order to cancel the one month Notice to End Tenancy dated May 16, 2016

A hearing was conducted by conference call in the presence of the applicant and in the absence of the respondent who failed to attend. I waited 10 minutes and monitored the conference call. The respondent failed to attend. I then proceeded with the hearing. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

I find that the Notice to End Tenancy was sufficiently served on the Tenant on May 16, 2016. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on May 30, 2016. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. An order for more time to make this application?
- b. Whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated May 16, 2016?

### Background and Evidence

The tenancy began approximately 5 years ago. The tenancy agreement provided that the tenant(s) would pay rent of \$500 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$250 and pet damage deposit of \$250 at the start of the tenancy.

### Grounds for Termination:

The Notice to End Tenancy relies on the following grounds:

- Tenant has allowed an unreasonable number of occupants in the unit/site

- Tenant or a person permitted on the property by the tenant has:
  - significantly interfered with or unreasonably disturbed another occupant or the landlord

Analysis:

I determined that it was appropriate to grant the tenant more time to make this application.

The landlord has the burden of proof to establish sufficient cause to end the tenancy on a balance of probabilities. The landlord failed to attend the hearing and failed to present any evidence to establish cause. As a result I ordered that the one month Notice to End Tenancy dated May 16, 2016 be cancelled. The tenancy shall continue with the rights and obligations of the parties remaining unchanged.

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: June 29, 2016

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Residential Tenancy Branch