



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

This matter was scheduled to be heard by teleconference at 9:30 a.m., November 17, 2016. This is the Tenant's Application for Dispute Resolution seeking to cancel a Notice to End Tenancy for Landlord's Use.

The Tenant signed into the Hearing and gave affirmed testimony. The Landlord did not sign into the Hearing, which remained open for 15 minutes.

The Tenant testified that he served the Landlord with the Notice of Hearing documents by registered mail, sent September 26, 2016. The Tenant provided the tracking numbers for the registered documents. The Canada Post Tracking System shows that the Landlord received the Notice of Hearing documents on October 7, 2016.

I am satisfied that the Landlord was duly served with notice of the Hearing. In a case where a tenant seeks to cancel a notice to end tenancy, the onus is on the landlord to show that the tenancy should end. The Landlord did not attend to give evidence.

Therefore, I cancel the Notice to End Tenancy for Landlord's Use issued September 8, 2016.

Conclusion

The Tenant's Application is granted. The tenancy will continue until it is ended in accordance with the provisions of 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: November 30, 2016

Residential Tenancy Branch