



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### **Dispute Codes**

CNR

### **Introduction**

This is the Tenants' Application for Dispute Resolution seeking to cancel a Notice to End Tenancy for Unpaid Rent, issued February 5, 2017.

Both parties attending the Hearing and gave affirmed testimony.

The Landlord's agent acknowledged receipt of the Notice of Hearing documents, by registered mail, on or about the last day of February, 2017.

### **Issue(s) to be Decided**

Is the Notice to End Tenancy a valid Notice?

### **Background and Evidence**

The Landlord's agent testified that he personally served the Tenant with the Notice to End Tenancy on February 15, 2017. The Tenant stated that she only received page one of the two page notice.

The Landlord's agent said he was not certain if he gave the Tenant both pages of the Notice.

The Tenant stated that the Landlord issued another notice to end the tenancy on February 28, 2017. She stated that this notice is a 30 day notice, effective March 31, 2017, and that the Tenants have accepted that notice. The Tenant stated that the Tenants will be moving out of the rental unit on March 31, 2017.

## **Analysis**

Section 52 of the Act requires a notice to end tenancy given by a landlord to be in the approved form. The approved form of a notice includes two pages. The second page has critical information for the tenant, including time lines for disputing the notice and what happens if the notice is not disputed. In this case, I find that there was insufficient evidence that the Tenant was served with the complete approved form and therefore I find that it is not a valid notice to end the tenancy.

## **Conclusion**

The 10 Day Notice to End Tenancy issued February 5, 2017, is cancelled. 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: March 20, 2017

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Residential Tenancy Branch