



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

INTERIM DECISION

This hearing dealt with an application by the tenant pursuant to the *Residential Tenancy Act* (“the Act”) for an order as follows:

- to cancel a 1 Month Notice to End Tenancy given for Cause (“1 Month Notice”) pursuant to section 47 *Act*.

The landlord, the landlord’s agent, tenant’s advocate and the tenant’s social worker all attended the hearing. Each was given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. At the outset of the hearing, the tenant’s social worker explained that the tenant was currently detained in the mental health ward of the hospital and was unable to attend the hearing.

Preliminary Issue - Adjournment of Hearing

At the outset of the hearing, the tenant’s representatives requested an adjournment. They stated that the tenant was currently detained in the mental health ward and was unable to attend the hearing for medical reasons.

On June 5, 2017 the tenant’s agents provided to the *Residential Tenancy Branch*, a written submission requesting an adjournment of the matter. The landlord explained that on June 7, 2017 she faxed to the *Residential Tenancy Branch* her written consent to this adjournment. A copy of this fax was re-sent to the arbitrator shortly following the conclusion of the June 13, 2017 hearing.

As the landlord has consented to the tenant’s request for an adjournment, an adjournment of this matter will be granted.

I find that an adjournment of this matter would provide a fair opportunity for the tenant to appear at the hearing and present evidence and testimony. I find that the tenant has the right to attend the hearing and provide testimony about the application being brought against her. The tenant’s advocate and social worker provided documentary evidence to show that she is unable to attend the hearing for reasons beyond her control and which require medical attention.

A copy of the Notice of Reconvened hearing with the calling instructions is included with this decision.

I adjourn the tenant's Application to be heard at the reconvened hearing. I order that the proceeding be reconvened in accordance with section 74 of the *Act*. **Notices of Reconvened Hearing are enclosed with this interim decision.**

For more information see our website at: gov.bc.ca/landlordtenant. If either party has any questions they may contact an Information Officer with the Residential Tenancy Branch at:

Lower Mainland: 604-660-1020

Victoria: 250-387-1602

Elsewhere in BC: 1-800-665-8779

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 13, 2017

Residential Tenancy Branch