



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a Two Month Notice to End Tenancy for Landlord's Use of Property and to recover the filing fee.

Both parties appeared.

Preliminary and procedural matters

At the outset of the hearing, the landlord indicated that they served the tenant with the wrong notice to end tenancy, as it should have been under the Manufacture Home Park Act. The landlord stated that that notice is not valid and they will serve a proper notice to end tenancy.

As this is not the correct notice to end the tenancy under the Manufacture Home Park Act, I find it appropriate to cancel the notice. I find the tenant is entitled to recover the filing fee from the landlord. The tenant is authorized to withhold the amount of \$100.00 from a future rent payable to the landlord.

Conclusion

The notice to end tenancy is cancelled. The tenant is entitled to deduct the amount of \$100.00 from a future rent payable to the landlord.

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 28, 2017

Residential Tenancy Branch