



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Ki-Low-Na Friendship Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, MT

Introduction

This is an application, brought by the tenant requesting an Order cancelling a Notice to End Tenancy.

The applicant(s) testified that the respondent(s) were served with notice of the hearing by Personal service on June 5, 2017; however the respondent(s) did not join the conference call that was set up for the hearing.

It is my finding that the respondent(s) have been properly served with notice of the hearing and I therefore conducted the hearing in the respondent's absence.

All testimony was taken under affirmation.

Issue(s) to be Decided

The issue is whether or not to cancel a notice to end tenancy.

Background and Evidence

The applicant testified that this tenancy began on October 28, 2016 with a monthly rent of \$604.00.

The applicant testified that on May 24, 2017 he was served with a Notice to End tenancy, claiming that he is causing noise disturbances.

The applicant testified that he does not cause any unreasonable noise, and has never really been informed of what noise he is alleged to have made.

The applicant further testified that sound travels easily between these units and maybe it's because he has to get up very early for work, but it would only be normal household activity.

The applicant therefore requests that the notice be cancelled.

Analysis

As stated above, the landlords did not attend today's hearing to give any evidence in support of their notice, and since the tenant denies causing any abnormal noise, it is my decision, pursuant to section 62 of the Residential Tenancy Act, that this Notice will be cancelled.

Conclusion

The 1 month Notice to End Tenancy, dated May 24, 2017, is hereby cancelled and this tenancy will continue.

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: July 27, 2017

Residential Tenancy Branch