



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNC OPC FF

Introduction

Only the tenant applicant attended the hearing and gave sworn testimony. He said he served the Application for Dispute Resolution personally on the landlord. I find the application was legally served pursuant to section 89 for the purposes of this hearing. The tenant applies pursuant to the *Residential Tenancy Act* (the Act) for orders as follows:

- a) To cancel a notice to end tenancy for cause pursuant to section 47;
- b) To set limits on the landlord's entry into the unit pursuant to section 29; and
- c) To order the landlord to comply with the Act.
- d)

Issue(s) to be Decided:

Has the landlord proved on the balance of probabilities that there is sufficient cause to end the tenancy or is the tenant entitled to any relief?

Background and Evidence

Only the tenant attended the hearing and was given opportunity to be heard, to provide evidence and to make submissions. The undisputed evidence is that the tenancy commenced about 5 years ago, rent is \$375 a month and a security deposit of \$187.50 was paid. The tenant explained that they had made an error. There was no formal Notice to End his tenancy but only a letter from the landlord after a guest had broken an office door.

He said all matters had been resolved with the landlord. His tenancy was not being ended and the landlord had agreed to give him Notice of Entry according to section 29 of the Act. He said all is fine now.

On the basis of the documentary and solemnly sworn evidence presented for the hearing, a decision has been reached.

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Analysis:

I find the parties have resolved their differences. No formal Notice to End Tenancy was served on the tenant as required by section 52 of the Act to be effective.

Conclusion:

The Application of the Tenant to set aside the Notice to End Tenancy is dismissed as the matter was settled between the parties.

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: January 25, 2018

Residential Tenancy Branch