



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant filed under the Residential Tenancy Act (the “Act”), to cancel 1 Month Notice to End Tenancy for Cause, (the “Notice”) issued on December 31, 2017.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

### Preliminary and Procedural Matters

At the outset of the hearing it was determined that the tenancy had ended on December 31, 2017, as the tenant acknowledged they received an earlier notice to end tenancy with a corrected vacancy date of December 31, 2017. The tenant stated that they had accepted the notice and was going to vacate; however, they were considering entering into a new tenancy with the landlord, but that did not workout. There was no requirement for the landlord to issue a second notice.

I find the tenancy legally ended on December 31, 2017, based on an undisputed notice to end tenancy.

As the landlords have accepted occupancy rent for the month of March 2018, I find it appropriate to extend the effective vacancy date in the Notice to March 31, 2018, pursuant to section 66 of the Act. Therefore, I find the landlords are entitled to an order of possession pursuant to section 55 of the Act, effective on the above extended vacancy date.

### Conclusion

The tenant's application to cancel the Notice, issued on December 31, 2017 is dismissed.

The landlords are granted an order of possession.

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 02, 2018

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Residential Tenancy Branch