



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Singla Bros. Holdings Ltd.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

CNC

Introduction

This is the Tenant's Application for Dispute Resolution seeking to cancel a One Month Notice to End Tenancy for Cause.

This matter was scheduled to be heard on June 12, 2018, at 9:00 a.m. by telephone conference. The Tenant's agent attended Hearing; however, the Landlord did not attend although I left the teleconference hearing connection open until 9:10 a.m. in order to enable the Landlord to attend.

I confirmed that the correct date, time, call-in numbers and participant codes had been provided in the Notice of Hearing. I also confirmed from the teleconference system that the Tenant's agent and I were the only ones who had called into this teleconference.

The Tenant's agent gave affirmed testimony. She stated that she mailed the Notice of Hearing documents and copies of the Tenant's documentary evidence to the Landlord, by registered mail, on April 16, 2018. The Tenant's agent gave the tracking number for the registered documents. I am satisfied that the Landlord was duly served with the Notice of Hearing documents. The Hearing continued in the Landlord's absence.

Issue(s) to be Decided

Should the 1 Month Notice to End Tenancy for Cause issued April 4, 2018 (the "Notice"), be cancelled?

Background and Evidence

The Tenant's agent testified that she received a copy of the Notice on April 9, 2018.

Analysis

When a tenant seeks to cancel a notice to end tenancy, the onus is on the landlord to provide sufficient evidence that the tenancy should end for the reason(s) provided on the notice.

In this case, the Landlord did not attend the Hearing to give evidence and therefore I find that the Landlord did not provide sufficient evidence that the tenancy should end.

Conclusion

The Tenant's Application is granted. The Notice is cancelled. The tenancy will continue until it is cancelled in accordance with the provisions of Section 44 of the Act.

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 12, 2018

Residential Tenancy Branch