



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Code CNL

This hearing was convened pursuant to the Tenant's Application for Dispute Resolution, made on May 12, 2018 (the "Application"). The Tenant applied for an order cancelling a Two Month Notice to End Tenancy for Landlord's Use of Property, dated February 28, 2018 (the "Two Month Notice"), pursuant to the *Residential Tenancy Act* (the "Act").

The Tenant attended the hearing in person and provided affirmed testimony. The Tenant advised the Landlord was served with the Application package by registered mail. Pursuant to section 71 of the *Act*, I find the Landlord was sufficiently served with the Application package for the purposes of the *Act*. The telephone conference remained open for 10 minutes but the Landlord did not attend the hearing.

As the Landlord did not attend the hearing to provide evidence in support of the Two Month Notice, I find there is insufficient evidence before me to uphold it and end the tenancy. Accordingly, I find that the Two Month Notice is cancelled. The tenancy will continue until otherwise ended in accordance with the *Act*.

Having been successful, I find the Tenant is entitled to recover the filing fee paid to make the Application. I order that the Tenant may deduct \$100.00 from a future rent payment, at the Tenant's discretion.

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 12, 2018

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Residential Tenancy Branch