



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 202461 HOLDINGS LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC OLC

This hearing was convened as a result of the Tenants' Application for Dispute Resolution, made on July 31, 2018 (the "Application"). The Tenants applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order cancelling a One Month Notice to End Tenancy for Cause, dated July 21, 2018 (the "One Month Notice"); and
- an order that the Landlord comply with the *Act*, regulation, and/or the tenancy agreement.

The Tenants attended the hearing in person. Also in attendance was J.M., who advised a new landlord took over the rental property on or about July 27, 2018. However, he confirmed he does not represent either party but was present only to listen in on the hearing. All in attendance provided a solemn affirmation.

The Tenants testified the Application package was served on the Landlord by registered mail and at the office within a few days after receipt of the materials from the Residential Tenancy Branch. Pursuant to section 71 of the *Act*, I find the Tenants' Application package was sufficiently served for the purposes of the *Act*.

Section 47 of the *Act* permits a landlord to end a tenancy for the reason enumerated therein. At a dispute resolution hearing, it is a landlord's obligation to provide evidence in support of the notice to end tenancy. In this case, the telephone conference hearing remained open while the phone system was monitored for ten minutes and the only participants who called into the hearing and had authority to participate and give evidence were the Tenants.

No submissions were made with respect to the Tenants' request for an order that the Landlord comply with the *Act*, regulation, and/or the tenancy agreement.

In light of the above, I order that the One Month Notice is cancelled. The tenancy will continue until otherwise ended in accordance with 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: September 20, 2018

Residential Tenancy Branch