



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL

### Introduction

The tenant applies to cancel a two month Notice to End Tenancy dated and received May 27, 2019.

The respondent landlord did not attend the hearing within ten minutes after its scheduled start time at 9:30 a.m. on July 15, 2019. The teleconference hearing connection remained open during that time in order to enable the parties to call into the teleconference hearing. The call-in numbers and participant codes provided in the Notice of Hearing were confirmed as correct. The teleconference system audio console confirmed that the tenant, Mr. R.H., Ms K.D. and this arbitrator were the only ones who had called into this teleconference during that period.

The tenant testified that she, together with her nephew Mr. R. H. personally served the landlord with this application on June 5. Mr. R.H. testified to the same service.

On this evidence I find that the landlord has been duly served with the Notice of Dispute Resolution Proceeding and has failed to attend.

In these circumstances, as the initial burden lies with the landlord to establish good cause for the Notice, the tenant's application is allowed and the Notice to End Tenancy dated May 27, 2019 is hereby cancelled.

The tenant is entitled to recover the \$100.00 filing fee for this application and I authorize her to reduce her next rent due by \$100.00 in full satisfaction of the fee.

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 15, 2019

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Residential Tenancy Branch