



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC OLC FF

This hearing was convened as a result of the Tenants' Application for Dispute Resolution, made on June 20, 2019 (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 June 10, 2019 (the "One Month Notice");
- an order that the Landlord comply with the *Act*, regulations, and/or the tenancy agreement; and
- an order granting recovery of the filing fee.

The Tenant J.T. attended the hearing at the appointed date and time. Although the line remained open while the phone system was monitored for ten minutes, the Landlord did not attend the hearing.

J.T. testified the Landlord was served with the Application package by registered mail on June 25, 2019. Pursuant to sections 89 and 90 of the *Act*, documents served by registered mail are deemed to be received 5 days later. In the absence of evidence to the contrary, I find the Application package is deemed to have been received by the Landlord on June 30, 2019.

As the Landlord did not attend the hearing to provide evidence in support of the One Month Notice, I find the One Month Notice is cancelled. I order that the tenancy continue until otherwise ended in accordance with the *Act*.

Although entitled to recover the filing fee paid to make the Application, J.T. advised the Tenants waive their entitlement to recover the filing fee, which I accept.

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: August 13, 2019

Residential Tenancy Branch