



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, MT, CNC, LA

### Introduction

This hearing dealt with the tenant's applications pursuant to the *Residential Tenancy Act* (the "Act") for:

- more time to make an application to cancel the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 66;
- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47(X2);
- authorization to change the locks to the rental unit pursuant to section 70.

All parties attended the hearing via conference call and provided testimony.

### Preliminary Issue(s)

Extensive discussion with all parties over a 48 minute period resulted in the tenant's two separate applications being clarified.

The tenant stated that she wished to cancel the application (which includes more time to make an application for dispute, to cancel a 1 month notice, authorization to change the locks and an order for the landlord to comply). The tenant only seeks to proceed with the application to cancel the 1 month notice dated June 30, 2019. The hearing proceeded on this basis.

The named individual, B.P. was excused from the hearing as the named landlord. R.P. the named landlord has stated that he (B.P.) is not the landlord or an agent and that B.P. is the agent for M.P. and has her power of attorney as the owner. The tenant, C.P. agreed and confirmed these details. R.P. stated that B.P. issued a notice to end tenancy without his consent and has no authority to act as the landlord. R.P. stated that

the 1 month notice is invalid as the named tenant, C.P. is a guest of the owner, C.P. As such, I find that the 1 month notice dated June 30, 2019 to be invalid and is of no force and effect. The tenant's application is granted.

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, 2019

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Residential Tenancy Branch