



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNR

Introduction:

The Application for Dispute Resolution filed by the Tenant(s) seeks an order to cancel the 10 day Notice to End Tenancy dated September 15, 2019. The tenant did not provide a copy of the Notice to End Tenancy.

The Landlord failed to appear at the scheduled start of the hearing which was 9:30 a.m. on November 26, 2019. The Tenant was present and ready to proceed. I left the teleconference hearing connection open and did not start the hearing until 10 minutes after the schedule start time in order to enable the landlord to call in. The landlord failed to appear. I confirmed that the correct call-in numbers and participant codes had been provided in the Notice of Hearing. I then proceeded with the hearing. The tenant was given a full opportunity to present affirmed testimony, to make submissions and to call witnesses.

On the basis of the solemnly affirmed evidence presented at the hearing a decision has been reached. All of the evidence was carefully considered.

I find that the Notice to End Tenancy was served on the Tenant by posting on September 16, 2019. Further I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the landlord on September 20, 2019. The tenant testified she posted the Application for Dispute Resolution and Notice of Dispute Resolution Hearing. She then witnessed the landlord taking it off of the door. With respect to each of the applicant's claims I find as follows:

Issues to be Decided:

The issue to be decided is whether the tenant is entitled to an order cancelling the 10 day Notice to End Tenancy dated September 15, 2019?

Background and Evidence:

The tenancy began on July 25, 2019. The tenancy agreement provided that the tenant(s) would pay rent of \$1900 per month payable in advance on the first day of each

month. The tenant(s) paid a security deposit of \$950 and a pet damage deposit of \$950 at the start of the tenancy.

Analysis:

The landlord has the burden of proof to establish sufficient cause to end the tenancy. The landlord failed to attend the hearing and failed to provide any evidence. I determined that the landlord failed to present sufficient evidence to establish cause to end the tenancy.

I ordered that the 10 day Notice to End Tenancy dated September 15, 2019 be cancelled. The tenancy shall continue with the rights and obligations of the parties remaining unchanged.

This decision is final and binding on the parties.

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: November 26, 2019

Residential Tenancy Branch