



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

On February 20, 2020, the Tenant submitted an Application for Dispute Resolution requesting to cancel One Month Notice to End Tenancy for Cause.

The matter was set as a teleconference hearing. The Landlords attended the teleconference hearing; however, the Tenant / applicant did not. The phone line remained open and was monitored for ten minutes and the Tenant / applicant did not call into the hearing during this time. Therefore, as the applicant did not attend the hearing by 9:40 am I dismiss the application with leave to reapply. This is not an extension of any statutory deadline.

Under section 55 of the Act, when a Tenant's application to cancel a notice to end tenancy is dismissed and I am satisfied that the Notice to end tenancy complies with the requirements under section 52 regarding form and content, I must grant the Landlord an order of possession.

The Landlord testified that they did not issue a One Month Notice to End Tenancy for Cause to the Tenant. The Landlord testified that the Tenant is not their Tenant and they do not have a contractual agreement with him.

### Analysis

Section 47 of the *Act* states that a notice to end tenancy must comply with section 52 of the *Act* [*form and content of notice to end tenancy*].

Section 52 of the *Act* states that in order to be effective, a notice to end a tenancy must be in writing and must:

- (a) be signed and dated by the landlord or tenant giving the notice,*
- (b) give the address of the rental unit,*
- (c) state the effective date of the notice,*
- (d) except for a notice under section 45 (1) or (2) [tenant's notice], state the grounds for ending the tenancy, and*
- (e) when given by a landlord, be in the approved form.*

Based on the above, the I am unable to grant the Landlord an order of possession for the rental unit.

### Conclusion

The Applicant failed to attend the hearing to pursue the application to cancel a notice to end tenancy. The application is dismissed.

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: April 20, 2020

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Residential Tenancy Branch