



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT

Introduction

The tenants apply to cancel a one month “Notice to Quit” document issued by the landlord and which cited various alleged conduct of the tenants and perhaps a guest as grounds to end this tenancy.

This matter was dealt with on a preliminary basis. Section 52 of the *Residential Tenancy Act* (the “Act”) states that a Notice to End Tenancy given by a landlord must be in the approved form. That approved form is currently RTB-33. The Notice to Quit document used by the landlord in this instance does not match RTB-33. Notably, the document does not contain the required statement of landlord and tenant rights and obligations related to the Notice.

For this reason I determine the Notice to Quit to be an invalid form of Notice to End Tenancy. It is hereby declared so and cancelled without hearing evidence or making any determination about whether the tenants or their guests have given just cause to end the tenancy.

The landlord is free to issue another notice, in the approved form, based on the same alleged conduct or other additional conduct.

As the tenants have been successful on this application they are entitled to recover the \$100.00 filing fee. I authorize them to reduce their 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 28, 2020

Residential Tenancy Branch