



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC, FFT

Introduction

The tenants apply to cancel a notice to end tenancy for non-payment of rent. At hearing it was clear that they had intended to apply to cancel a one month Notice to End Tenancy for repeated late payment of rent, the only Notice the landlord has issued. The application was amended accordingly by consent.

The listed parties attended the hearing.

It was apparent that the Notice in question had failed to provide any particulars of the alleged late payment of rent in the “Details of Dispute” portion of the Notice. That information is a requirement of an enforceable one month Notice. Further, the landlord did not provide evidence regarding late rent payments until the day before this hearing contrary to Rule 3.15 of the Rules of Procedure. For those reasons the Notice in question was cancelled.

The landlord is at liberty to issue another, fully completed Notice if she wishes. She was informed of the landlord’s obligation to make clear to a tenant that late payment of rent is not acceptable.

The landlord was concerned that the tenants are keeping more than the one dog permitted by the tenancy agreement. The attending tenant confirmed that the second dog the landlord might have seen was merely a “visiting” dog and that only the tenants’ one dog is kept overnight at the rental unit.

The attending tenant withdrew the tenants' claim for recovery of the filing fee.

This decision was given orally at hearing and 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: January 04, 2021

Residential Tenancy Branch