



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BROWN BROS. AGENCIES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC-MT

Introduction

The tenant disputes a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to section 47(4) of the *Residential Tenancy Act* (“Act”). In addition, they requested additional time to dispute the Notice pursuant to section 66 of the Act.

Attending the hearing on June 17, 2021 was the tenant, their advocate, and three employees of the corporate landlord (collectively referred to as the “landlord” in this decision, for brevity). No service of evidence issues were raised.

Preliminary Issue: Invalid Notice to End Tenancy

A copy of the Notice was submitted into evidence. All three pages of the Notice were provided, and I confirmed with the landlord that the pages in evidence were those that were served on the tenant. The landlord confirmed that they were. Page three of the Notice includes a section that must be completed by the landlord. The section requires that details of the alleged grounds for ending the tenancy be provided. In this case, that section was left empty.

The landlord did not have an explanation as to why the section was left blank, other than to remark that the Notice was issued after previous warnings had been made to the tenant (apparently involving the leaving of large planters or pots on the rental unit’s balcony railings).

I explained to the landlord that when a landlord issues a notice to end tenancy under [section 47](#) of the Act, that any such notice must comply with [section 52](#) of the Act. Under that section, (see section 52(e)) the notice must be in the approved form. Here, the landlord certainly used the correct, approved form. However, the form was not completed as required, and as such I find that it is neither valid nor effective.

Conclusion

Given the above findings, I hereby order that the Notice is cancelled effective immediately. The Notice is of no force or legal effect and the tenancy shall continue until it is ended in accordance with the Act.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: June 17, 2021

Residential Tenancy Branch