



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC

Introduction and Preliminary Matters

On April 3, 2023, the Tenant applied for a Dispute Resolution proceeding seeking to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) pursuant to Section 47 of the *Residential Tenancy Act* (the “Act”).

The Tenant attended the hearing; however, none of the Landlords made an appearance at any time during the 19-minute teleconference. The Tenant provided a solemn affirmation.

He then testified that despite the Notice of Hearing packages being made available to him on April 12, 2023, he did not serve these packages to the Landlords due to a number of health challenges. Based on this undisputed testimony, as the Tenant did not serve these packages in accordance with Section 89 of the *Act* or Rule 3.1 of the Rules of Procedure, I am not satisfied that the Landlords were duly served with the Notice of Hearing packages. As such, I dismiss the Tenant’s Application to dispute the Notice without leave to reapply.

Conclusion

As the Notice of Hearing packages were not served to the Landlords pursuant to Section 89 of the *Act* or in accordance with the timeframe requirements of Rule 3.1 of the Rules of Procedure, I dismiss the Tenant’s Application without leave to reapply.

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 13, 2023

Residential Tenancy Branch