



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNC

Introduction

The matter was set for a hearing to hear the tenants' application to cancel a Notice to End tenancy. The tenant appeared and stated that she served the landlord with the Notice of the hearing in person. The landlord did not attend the conference call and the applicant was unable to provide any evidence that the landlord had been properly served with a Notice of the hearing in accordance with section 89 of the *Act*.

Therefore, I am unable to determine if the landlord was properly served pursuant to s. 89 of the *Act* and the tenants' application is dismissed with 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 28, 2009.

Dispute Resolution Officer