



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

### Dispute Codes:

CNC

### Introduction

The tenant applied to cancel a notice issued ending tenancy for cause.

The tenant provided affirmed testimony that on November 15, 2010, copies of the Application for Dispute Resolution and Notice of Hearing were sent to the landlord via registered mail at the address noted on the Application. A Canada Post tracking number was provided as evidence of service.

The tenant used the service address provided to her on the Notice ending tenancy issued by the landlord on November 3, 2010. I find that the service address contained in the Notice issued by the landlord is the correct address for service, until the landlord provides the tenant with a change of service address, in writing.

These documents are deemed to have been served in accordance with section 89 of the Act, however the tenant did not appear at the hearing.

The tenant attended the hearing at the scheduled start time, 10:30 a.m. The landlord did not attend the hearing and at 10:40 a.m. the hearing ended with my finding that the Notice issued by the landlord on November 3, 2010, is of no force or effect.

The landlord failed to attend the hearing in support of the Notice, despite having been served with notice of the hearing.

The tenancy will continue until it is ended as provided by the Act.

### Conclusion

The Notice ending tenancy issued on November 3, 2010, is of no force or effect, the tenancy will continue until it is ended as provided by the Act.

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: December 06, 2010.

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Dispute Resolution Officer