



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

**Dispute Codes:** CNC

### **Introduction**

This Hearing was scheduled to hear the Tenant's application to cancel a *One Month Notice to End Tenancy for Cause* (the "Notice").

Both parties gave affirmed testimony at the Hearing.

It was determined that the Tenant served the Landlord with the Notice of Hearing documents on July 13, 2012, by handing the documents to the Landlord

### **Preliminary Matter**

The Landlord testified that he served the Tenant with the Notice, in person, at the rental unit on June 30, 2012. The Tenant disputed this and stated that he was served in person on July 1, 2012, at the rental unit.

Neither party provided a copy of the Notice in evidence. Neither party had a copy available to them at the time of the Hearing. Therefore, I could not confirm that the Notice was a valid notice to end the tenancy, nor could the Landlord provide the reason(s) that he wrote on the Notice for ending the tenancy, as set out in Section 47 of the Act.

Therefore, I dismissed the Tenant's application with leave to re-apply. This does not extend any existing time limits that may apply. I make no finding with respect to the date that the Tenant was served with the Notice.

### **Conclusion**

The Tenants' application is dismissed without leave to re-apply. This does not extend any existing time limits that may apply.

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: August 01, 2012.

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Residential Tenancy Branch