



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC

Introduction

Some documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Issue(s) to be Decided

This is an application to cancel a notice to end tenancy.

Decision and reasons

This is an application to cancel a notice to end tenancy; however neither the landlord nor the tenant has supplied a copy of that notice and therefore I have no way of determining whether or not it's a valid notice to end tenancy.

Therefore since the landlord has the burden of proving the reasons for ending a tenancy, in the absence of a copy of that notice, that burden of proof is not met.

Conclusion

I therefore order that the notice to end tenancy is canceled and this tenancy continues.

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 03, 2012.

Residential Tenancy Branch