



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

Decision

Dispute Codes:

CNC

Introduction

This Application for Dispute Resolution by the tenant was seeking to cancel a One-Month Notice to End Tenancy for Cause dated June 13, 2013.

Despite being personally served by the tenant with the Notice of Hearing on June 20, 2013, the landlord did not appear.

Issue(s) to be Decided

Should the One Month Notice to End Tenancy for Cause be cancelled?

Background and Evidence

The tenant had submitted into evidence a copy of the One-Month Notice to End Tenancy for Cause dated June 13, 2013 showing an effective date of July 25. No evidence was submitted by the landlord.

The landlord did not submit any evidence to support the One Month Notice to End Tenancy for Cause.

Analysis

I find that the burden of proof is on the landlord to justify the One Month Notice to End Tenancy for Cause. However, in this instance, the landlord submitted no evidentiary material, nor did the landlord attend the hearing to give any testimony in support of the Notice.

In light of the fact that the landlord has failed to sufficiently prove that any of the criteria listed under section 47 that would warrant ending the tenancy has been satisfied, I find that this One-Month Notice to End Tenancy for Cause must be cancelled.

I hereby order that the One-Month Notice to End Tenancy for Cause dated June 13, 2013, is permanently cancelled and of no force nor effect.

Conclusion

The tenant is successful in the application and the One-Month Notice to End Tenancy for Cause, dated June 13, 2013 is cancelled.

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 22, 2013

Residential Tenancy Branch