



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

CNC

### Introduction

The tenant applied to cancel a 1 month Notice to end tenancy for cause issued on June 30, 2014.

The tenant provided affirmed testimony that on June 10, 2014 he personally the landlord at her place of business. Service occurred before 1 p.m. The landlord works out of a building near the rental unit.

The tenant stated that the address and landlord name indicated on the Notice ending tenancy is for the rental unit building owned by the person whom he served; A.L. The landlord name on the Notice ending tenancy is a society. The service address on the Notice ending tenancy did not include a suite number; the street address was for the rental unit building which has multiple units, all identified by unit numbers. The tenant was not aware of a suite where the landlord carries out business at the rental unit location. The tenant then decided to serve the landlord at the place where he knows she carries out business.

Therefore, based on the tenant's affirmed testimony I find that the rental unit owner/agent; A.L. and the landlord named on the Notice have each been served with Notice of this hearing effective June 10, 2014. Section 89 of the Act allows service to an agent of the landlord. Even if A.L. does not own the building I find that she is an agent, as she accepts rent payments.

Therefore, I find, pursuant to section 71 of the Act, that the landlord named on the Notice ending tenancy has been sufficiently served to the person who owns and/or acts as agent for that society.

The landlord did not attend the hearing in support of the Notice issued to the tenant on May 30, 2014; which the tenant disputed on June 3, 2014.

Therefore, in the absence of the landlord at this hearing I find that the Notice ending tenancy for cause issued on May 30, 2014 is cancelled and of no force and effect. The tenancy will continue until it is ended in accordance with the Act.

Conclusion

The Notice ending tenancy issued on May 30, 2014 is cancelled.

This decision is final and binding and 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 23, 2014

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Residential Tenancy Branch

