



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC

Introduction

The tenants apply for an order that the landlord comply with the law or the tenancy agreement. They have received a text or texts from the landlord indicating that she wishes to move from the upstairs of her home and occupy this one bedroom basement suite.

The landlord explains that she can no longer afford the mortgage payment on her home and so must move into the suite and rent out the main floor on which she currently lives.

Sections 44 and 49(1) and 52 of the *Residential Tenancy Act* (the “Act”) make clear that a landlord may only end a tenancy in these circumstances by giving the tenants a two month Notice to End Tenancy in the approved form.

In this case, text messages are not a lawful method by which a landlord can end a tenancy.

The parties were referred to the *Act* and the availability of information officers at the Residential Tenancy Branch for further guidance.

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: April 20, 2018

Residential Tenancy Branch