



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNC

Introduction

This hearing dealt with an application by the tenant for an order to set aside a notice to end tenancy for cause.

The tenant testified that on June 04, 2019, she served the notice of hearing on the landlord, in person. Despite having been served the notice of hearing and filing evidence of his own, the landlord did not attend the hearing. The tenant attended the hearing and was given full opportunity to present evidence and make submissions.

The tenant stated that she was not served with evidentiary documents by the landlord. Accordingly the landlord's evidence was not used in the making of this decision.

Issue to be Decided

Does the landlord have grounds to end this tenancy?

Background and Evidence

On May 29, 2019, the landlord served the tenant with a notice to end tenancy for cause. The tenant disputed the notice in a timely manner.

Analysis

In order to support the notice to end tenancy, the landlord must prove the grounds alleged as the reason for the notice to end tenancy. The landlord did not attend the hearing.

Without additional testimony and evidence to support the reasons for the notice to end tenancy, the landlord has not met the burden of proof and therefore I allow the tenant's application and set aside the landlord's notice to end tenancy.

Conclusion

The notice to end tenancy is set aside and the tenancy shall continue.

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 15, 2019

Residential Tenancy Branch