



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to have the landlord comply with the Act, and to recover the cost of the filing fee.

Both tenant and legal counsel for the landlord appeared.

Issue to be Decided

Should the landlord be ordered to comply with the Act?

Background and Evidence

The parties entered into a tenancy agreement on January 8, 2022. Rent in the amount of \$1,2750.00 is payable on the 8th day of each month. A security deposit of \$600.00 was paid.

The tenant submits that the landlord has sent them three different emails to end the tenancy. Filed in evidence is an email dated January 10, 2022, stating the tenant had thirty days to vacate. A handwritten letter dated January 22, 2022, giving the tenant 60 days to vacate as the property will be place for sale, and a March 3, 2022, email that their two-month tenancy expires on March 7, 2022.

Counsel for the landlord confirms the notices to end tenancy are not in the proper form.

Analysis

A Based on the above, the testimony and evidence, and on a balance of probabilities, I find as follows:

In this case, the landlord has not issued the notices to end tenancy in the proper form as required by section 52 of the Act. I find the emails and letter have no force or effect. Therefore, I grant the tenant's application.

I Order the landlord, that when ending a tenancy, they must comply with section 52 of the Act.

As the tenant was successful with their application. I find the tenant is entitled to recover the cost of the filing fee from the landlord. I authorize the tenant a onetime rent reduction of \$100.00 to recover this award.

At the hearing the parties agreed that service of documents can be done by email. I have noted the email addresses for service on the covering page of this Decision.

Conclusion

The tenant's application to have the landlord comply with the Act is granted. The tenant is entitled to a onetime rent reduction to recover the cost of the filing fee.

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 07, 2022

Residential Tenancy Branch