



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

Dispute Codes:

OLC, ERP, and FF

Decision

This hearing dealt with an Application for Dispute Resolution filed by the Tenant, in which the Tenant *applied* for an Order requiring the Landlord to comply with the *Residential Tenancy Act (Act)*, for an Order requiring the Landlord to make repairs, and to recover the cost of filing this Application for Dispute Resolution.

Both parties were represented at the hearing.

Background and Evidence

At the beginning of the hearing the Landlord and the Tenant advised that they had mutually agreed to resolve this dispute under the following terms:

- The Tenant will vacate the rental unit on November 30, 2009
- The Tenant will not be required to pay rent for October and November of 2009
- The Tenant understands and accepts that the Landlord will not be able to provide heat or hot water to the rental unit and that the unit is not habitable
- The Tenant will withdraw his request for a monetary Order, his request for an Order requiring the Landlord to make repairs, and his request to recover the filing fee paid for this Application for Dispute Resolution

Conclusion

Based on the mutual agreement reached by the parties to this dispute, I find that this tenancy will end, by mutual consent, on November 30, 2009 and that the above terms and conditions are binding on both parties.

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: November 17, 2009.

Dispute Resolution Officer