



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

CNC and FF

Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause and to recover the filing fee from the Landlord for the cost of this Application for Dispute Resolution. Both parties were represented at the hearing.

Issue(s) to be Decided

The issue to be decided is whether the Notice to End Tenancy for Unpaid Rent, served pursuant to section 46 of the *Residential Tenancy Act (Act)*, should be set aside and to recover the filing fee from the Landlord for the cost of this Application for Dispute Resolution.

Background and Information

At the outset of the hearing the Agent for the Landlord and advocate for the Tenants advised that they had mutually agreed to resolve this dispute by mutually agreeing to end this tenancy on February 28, 2010.

Analysis

On the basis of the mutual agreement of the parties, I find that this tenancy will end by mutual consent on February 28, 2010.

Conclusion

As the parties were able to resolve this dispute without a dispute resolution proceeding, I hereby dismiss the Tenants' application for compensation for the filing fee paid for this Application for Dispute Resolution.

Dated: November 26, 2009.

Dispute Resolution Officer