



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION

Dispute Codes: MND, MNSD and FF

Introduction

These applications were brought by both the landlord and the tenant.

By application received on September 9, 2009, the landlord seeks an Order of Possession pursuant to a 30-day Notice to End Tenancy for cause served August 20, 2009 by registered mail. The landlord also sought to recover the filing fee for this proceeding from the tenant.

By application received on September 11, 2009, the tenant seeks to have the same Notice to End Tenancy set aside.

Issues to be Decided

These applications require a decision on whether the Notice to End Tenancy should be upheld or set aside.

Background and Evidence

This tenancy began on November 1, 2006. Rent is \$600 per month and the landlord holds a security deposit of \$300 paid at the commencement of the tenancy.

Consent Agreement

During the hearing, the parties arrived at a mutual agreement to end the tenancy as follows:

1. The tenant agrees to vacate the rental unit on November 30, 2009;
2. The landlord agrees to waive the November rent.

Conclusion

To perfect this consent agreement, the landlord's copy of this decision is accompanied by an Order of Possession, enforceable through the Supreme Court of British Columbia, to take effect at 1 p.m. on November 30, 2009. As this matter has been resolved by mutual agreement, I make no award with respect to filing fees.

I commend both parties on their consideration of each other and their intelligent approach to dispute resolution in crafting this consent agreement.