



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes:

CNR, RR, FF

Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant has made application to set aside a Notice to End Tenancy for Unpaid Rent; for an Order authorizing the Tenant to reduce rent in compensation for services or facilities agreed upon but not provided; and to recover the filing fee from the Landlord for the cost of this Application for Dispute Resolution.

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; whether the Tenant should be able to reduce rent in compensation for services or facilities agreed upon but not provided; and to recover the filing fee from the Landlord for the cost of this Application for Dispute Resolution.

Background and Evidence

The Landlord and the Tenant agree the this tenancy began on May 16, 2009; that the Tenant is required to pay monthly rent of \$700.00; that the Tenant still owes \$350.00 in rent for January of 2010; and that a Ten Day Notice to End Tenancy for Unpaid Rent, which had an effective date of January 17, 2010, was posted on the door of the rental unit on January 08, 2010.

During the hearing the Landlord and the Tenant agreed to resolve the issues in dispute at this hearing under the following terms:

- The Tenant will pay the Landlord the outstanding rent of \$350.00
- The Landlord will withdraw the Notice to End Tenancy
- The parties mutually agree to end this tenancy on January 31, 2010 at 1:00 p.m.
- The Tenant will vacate the rental unit prior to 1:00 p.m. on January 31, 2010
- The landlord will ensure that the Tenant can access the laundry facilities between 10:00 a.m. and 5:00 p.m. today.

Conclusion

Based on the mutual agreement to end this tenancy on January 31, 2010, I grant the Landlord an Order of Possession that is effective at 1:00 p.m. on January 31, 2010.

Based on the settlement agreement reached at the hearing, I grant the Landlord a monetary Order in the amount of \$350.00. In the event that the Tenant does not comply with this Order, it may be served on the Tenant, filed with the Province of British Columbia Small Claims Court and enforced as an Order of that Court.

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: January 25, 2010.

Dispute Resolution Officer