



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes DRI, CNR, FF

Introduction

A substantial amount of documentary evidence and written arguments has been submitted by the parties prior to the hearing. I have thoroughly reviewed all submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

All testimony was taken under affirmation.

Decision and reasons

First of all it is my decision that I will not deal with all the issues that the applicant has put on the application. For claims to be combined on an application they must related.

Not all the claims on this application are sufficiently related to the main issue to be dealt with together.

I therefore will deal with request to cancel a Notice to End Tenancy and I dismiss the remaining claim, disputing a alleged illegal rent increase, with liberty to re-apply.

Request to cancel a Notice to End Tenancy

This was a request by the tenants to have a section 46 Notice to End Tenancy for non-payment of rent cancelled and four the tenancy to continue, however at the hearing the



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tenants stated that they do not want the tenancy to continue, they just want to stay in the rental unit until the end of February 2010.

The landlord stated that he does not dispute the tenants request to vacate at the end of February 2010, but wanted some assurance that they would do so, so is requesting an Order of Possession be issued.

Therefore since both sides agree that this tenancy should end at the end of February 2010, I have issued an Order of Possession for that date.

Conclusion

The tenant's application is dismissed and I have issued an Order of Possession for 1:00 p.m. on February the 28th 2010

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: February 17, 2010.

Dispute Resolution Officer