

DECISION

Dispute Codes: CNC and FF

Introduction

This application was brought by the tenants seeking to have set aside a one-month Notice to End Tenancy for cause dated January 5, 2010 and setting an end of tenancy date at February 28, 2010. The tenants sought to recover the filing fee for this proceeding from the respondent.

The rental unit is within a building registered under the *Strata Property Act* which, at section 138, permits to the strata corporation to issue a Notice to End Tenancy under section 47 of the *Residential Tenancy Act*.

Issues to be Decided

This application requires a decision on whether the Notice to End Tenancy should be upheld or set aside.

Background and Evidence

This tenancy began on December 1, 2008. Rent is \$750 per month and the landlord holds a security deposit of \$375.

Consent Agreement

During the hearing, the parties arrived at the following consent agreement:

1. The tenants will vacate the rental unit on March 31, 2010 and the landlord will be issued with an Order of Possession to perfect the consent agreement;
2. The tenants will not permit any guests to disturb other occupants of the rental building or breach any of the Strata Rule or Bylaws or the duration of the tenancy.

Conclusion

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 March 31, 2010.

February 18, 2010.