

## **Decision**

**Dispute Codes:** CNR, MNDC, RP, PSF, RR

### **Introduction**

This hearing dealt with an application by the tenant for cancellation of a notice to end tenancy for unpaid rent / a monetary order as compensation for damage or loss under the Act, regulation or tenancy agreement / an order instructing the landlord to make repairs to the unit, site or property / an order instructing the landlord to provide services or facilities required by law / and permission for the tenant to reduce rent for repairs, services or facilities agreed upon but not provided. Both parties participated in the hearing and gave affirmed testimony.

### **Issues to be decided**

- Whether the tenant is entitled to any or all of the above under the Act, regulation or tenancy agreement

### **Background and Evidence**

Pursuant to a written tenancy agreement, the tenancy began on June 1, 2010. Rent in the amount of \$1,050.00 is payable in advance on the first day of each month. A security deposit of \$525.00 was collected at the outset of tenancy.

Arising from rent which was unpaid when due on September 1, 2010, the landlord issued a 10 day notice to end tenancy for unpaid rent dated September 14, 2010. Subsequently, the tenant filed an application for dispute resolution on September 17, 2010, but she has made no payment toward rent.

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution.

## **Analysis**

The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca/](http://www.rto.gov.bc.ca/)

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the tenant will vacate the unit by no later than 1:00 p.m., Sunday, October 31, 2010, and that an order of possession will be issued in favour of the landlord to that effect;
- that the tenant withdraws all aspects of her application for dispute resolution;
- that the landlord agrees to waive rent for both months of September and October 2010;
- that the above particulars comprise full and final settlement of all aspects of the dispute for both parties, which arise out of this tenancy and which are presently before me.

## **Conclusion**

I hereby issue an order of possession in favour of the landlord effective not later than **1:00 p.m., Sunday, October 31, 2010**. This order must be served on the tenant.

Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

DATE: September 29, 2010

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Dispute Resolution Officer