



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

Dispute Codes      CNR, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants for an order cancelling the One Month Notice to End Tenancy issued by the Landlord and to recover the filing fee.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to make submissions to me.

### Issues(s) to be Decided

Are the Tenants is entitled to an Order to cancel the Notice to End Tenancy?

### Background and Evidence

This tenancy began on February 1, 2009, on a month to month basis. The monthly rent is \$600.00.

Based on affirmed testimony the Landlord served the Tenants a One Month Notice to End Tenancy on August 26, 2010, by placing in the mail slot, with a stated effective date of September 30, 2010.

Pursuant to the rules of procedure, the Landlord proceeded first in the hearing, explaining why the Notice was issued.

The Landlord provided affirmed testimony concerning the various causes as to why the Tenants were given a Notice to End Tenancy, but the testimony and evidence was disputed by the Tenant who testified.

Settled Agreement

After testimony by both parties, the Landlord and Tenants reached a settled agreement. The Landlord and Tenants agreed that this tenancy will end on and the Tenants will move out by **October 31, 2010, at 1:00 p.m.**

The Tenants understands that the Landlord will be issued an order of possession, based upon the settled agreement, and that if the Tenants fail to move out by **October 31, 2010, at 1:00 p.m.**, the Landlord may obtain a writ of possession and have the Tenants evicted.

As this matter was settled, I decline to assign the filing fee costs to the Tenants.

Conclusion

The Landlord and Tenants have reached a settled agreement that the tenancy will end by **October 31, 2010, at 1:00 p.m.**

Based upon the settled agreement, as provided in section 63 of the Act, I grant the Landlord an **Order of Possession** that is effective on **October 31, 2010, at 1:00 p.m.**

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: October 01, 2010.

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Dispute Resolution Officer