

## **DECISION**

Dispute Codes      CNC FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to obtain an Order to cancel a 1 Month Notice to End Tenancy for Cause and to recover the cost of the filing fee from the Landlords for this application.

Service of the hearing documents, by the Tenants to the Landlords, was done in accordance with section 89 of the *Act*, sent via registered mail to the Landlord's address listed on the 1 Month Notice to End Tenancy, on September 10, 2010. The registered mail package was picked up September 17, 2010. The Landlords confirmed receipt of the hearing package.

The parties appeared, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

### Issues(s) to be Decided

Are the Tenants entitled to an Order to cancel the 1 Month Notice to End Tenancy dated August 31, 2010?

### Background and Evidence

I heard undisputed testimony that the tenancy agreement was effective June 1, 2009 and the current monthly rent is \$1,284.84. The Tenants paid a security deposit of \$500.00 on May 20, 2009.

During the course of the hearing the parties agreed to settle the matter.

Analysis

The parties reached an agreement to settle these matters, on the following conditions:

1. The parties mutually agree to end the tenancy effective December 31, 2010, at 1:00 p.m.; and
2. The Tenants are not be required to pay rent for the month of December 2010; and
3. The Landlord will be issued an Order of Possession effective December 31, 2010 at 1:00 p.m.

As this matter was settled I decline to award recovery of the filing fee.

Conclusion

A copy of the Landlords' decision will be accompanied by an Order of Possession effective December 31, 2010 at 1:00 p.m. This Order must be served on the Tenants and may be enforced through Supreme Court 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: October 21, 2010.

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Dispute Resolution Officer