



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes MT, CNC, FF

Introduction

This hearing was convened by way of conference call on this date to deal with the tenant's application for an order allowing the tenant more time to make an application to cancel a notice to end tenancy; for an order cancelling a notice to end tenancy for cause; and to recover the filing fee from the landlord for the cost of this application.

The parties both attended the conference call hearing.

During the course of the hearing, the parties agreed to settle this dispute on the following conditions:

1. The tenant will pay rent on the 1st day of each month hereafter in accordance with the tenancy agreement;
2. The notice to end tenancy is hereby cancelled, and the landlord will not obtain an Order of Possession;
3. The tenant agrees that the landlord will retain the security deposit in the amount of \$225.00 in partial satisfaction of a broken window;
4. The tenant will pay the landlord \$275.00 within the next 60 days in full satisfaction of the broken window.

Conclusion

For the reasons set out above, I order that the 1 Month Notice to End Tenancy for Cause issued on January 2, 2011 and served to the tenant on January 5, 2011 is hereby cancelled.

The tenant will pay the landlord \$275.00 within the next 60 days, and the landlord will retain the security deposit, in full satisfaction of any claim the landlord may have for replacement or repair of a broken window.

I further order that the tenant comply with the tenancy agreement by paying rent when it is due.

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 08, 2011.

Residential Tenancy Branch