



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants for an order cancelling the 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") issued by the Landlord on January 8, 2011.

Tenant JL and the Landlord 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.

Issue(s) to be Decided

Are the Tenants entitled to an Order cancelling the Notice to End Tenancy?

Background and Evidence

This tenancy began on September 1, 2010, on a month to month basis, the monthly rent is \$800.00, payable on the first day of the month, and a security deposit in the amount of \$400.00 was paid on September 1, 2010.

Based on affirmed testimony the Landlord served the Tenants the Notice, in person, with a stated effective move out date of January 18, 2011.

Settled Agreement

After brief initial testimony by both parties, the Landlord and Tenant JL reached a settled agreement. The Landlord and Tenant JL agreed that the Landlord will be issued an order of possession, which will be served on the Tenants, unless the Tenants pay the unpaid rent for January and February, 2011, in the amount of \$1,600.00, by Tuesday, February 8, 2011.

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 pay \$1,600.00 by Tuesday, February 8, 2011, the Landlord may serve the order of possession on the Tenants and may obtain a writ of possession to have the Tenants evicted.

Conclusion

The Landlord and Tenants have reached a settled agreement that the tenancy will end unless the Tenants pay the amount of \$1,600.00 by Tuesday, February 8, 2011.

Based upon the settled agreement, as provided in section 63 of the Act, I grant the Landlord an **Order of Possession** that is effective 2 days after service upon the Tenants, unless \$1,600.00 is paid to the Landlord by Tuesday, February 8, 2011.

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 02, 2011.

Residential Tenancy Branch