



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Public Safety and Solicitor General

## **DECISION**

Dispute Codes      MT CNC

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to obtain an Order to allow more time to make their application and to cancel a notice to end tenancy issued for cause.

Service of the hearing documents, by the Tenant to the Landlord, was done in accordance with section 89 of the *Act*, served personally on February 7, 2011 at 8:45 p.m.

The parties appeared at the teleconference hearing, acknowledged receipt of evidence submitted by the other, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

### Issue(s) to be Decided

1. Have the Tenants met the requirement of proof to be allowed more time to make their application for dispute resolution?
2. Has the 1 Month Notice to End Tenancy (the Notice) been issued and served in accordance with the *Act*?
3. If so, has the Landlord met the burden of proof to end this tenancy based on the Notice?

### Background and Evidence

I heard undisputed testimony that the parties entered into a written month to month tenancy agreement effective June 1, 2010. Rent is payable on the first of each month in the amount of \$900.00 and on May 14, 2010 the Tenant paid \$400.00 towards the security deposit.

During the course of the hearing the parties came to an agreement to settle these matters.

### Analysis

The parties agreed to settle these matters as follows:

- The Tenant agrees to withdraw his application for dispute resolution; and
- The parties mutually agree to end this tenancy effective March 31, 2011 at 1:00 p.m.; and
- The Tenant agrees to allow the Landlord access to the rental unit to show prospective tenants and the Landlord agrees to provide 24 hour written notice of entry to the unit taped to the Tenant's door in accordance with the Act; and
- The parties mutually agree the Tenant's laundry days will be Saturday and Sunday for the duration of the tenancy; therefore the Landlord agrees to leave the laundry room unlocked every Saturday and Sunday for the Tenant to access; and
- In support of this agreement the Landlord will be issued an Order of Possession effective March 31, 2011.

### Conclusion

The Landlord's decision will be accompanied by an Order of Possession effective **March 31, 2011 at 1:00 p.m.** This Order must be served upon the Tenant and may be filed in Supreme Court and enforced 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: February 24, 2011.

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Residential Tenancy Branch