



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy for unpaid rent.

The Tenant said he served the Landlord with the Application and Notice of Hearing (the "hearing package") by personal delivery on November 14, 2011. Based on the evidence of the Tenant, I find that the Landlord was served with the Tenant's hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

Issues(s) to be Decided

1. Is the Tenant entitled to an order to cancel the Notice to End Tenancy?

During the course of the hearing, the parties reached an agreement to settle this matters, on the following conditions:

1. the Tenant would start paying \$600.00 per month starting December 1, 2011 to pay the current rent charges of \$491.00 and the balance of the \$600.00 per month payment (\$109.00) would go towards unpaid rent;
2. the Tenant and the Landlord agreed the any remaining unpaid rent would be paid when the manufactured home sells. The Tenant said he expects the manufactured home to sell in 1 to 3 months.
3. the Tenant also agreed to return the Landlord calls within 24 hours or if he is out of town as soon as possible after receiving the Landlord's message.
4. The 10 Day Notice to End Tenancy for Unpaid Rent, date November 7, 2011 is cancelled as a result of both the Landlord and the Tenant agreeing to this mutual agreement to continue the tenancy.



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Under section 56 the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 56 of the Act the Landlord and the Tenant agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agree to continue the tenancy with rent of \$600.00 per month until the manufactured home is sold. At which time all unpaid rent and utilities will be paid from the manufactured home sale proceeds.

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: November 28, 2011.

Dispute Resolution Officer