



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes: CNR, FF

### Introduction / Background / Evidence

This hearing was scheduled in response to the tenant's application for cancellation of a notice to end tenancy / and recovery of the filing fee. Both parties participated in the hearing and gave affirmed testimony.

The landlord's agent testified that arising from a misunderstanding, a 10 day notice to end tenancy dated January 9, 2012, was served on the tenant in relation to a security deposit which had not been collected at the start of tenancy. However, the parties now agree that a security deposit had not been required by the landlord at the start of tenancy. In the result, the 10 day notice to end tenancy is hereby set aside, and the tenancy continues in full force and effect.

The parties further agree that the tenant will recover one half of his filing fee by way of withholding \$25.00 from the next regular payment of monthly rent which is \$675.00. Accordingly, the next regular payment of monthly rent will total \$650.00 (\$675.00 - \$25.00).

### Conclusion

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution as set out above.

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: January 31, 2012.

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Residential Tenancy Branch