



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, CNR, MNDC, FF

Introduction

This hearing dealt with the tenants' Application for Dispute Resolution seeking to cancel a notice to end tenancy and for a monetary order.

The hearing was conducted via teleconference and was attended by the tenant and the landlord's agent.

At the outset of the hearing I clarified with both parties that the tenants had been issued only a 10 Day Notice to End Tenancy for Unpaid Rent but had not been issued a 1 Month Notice to End Tenancy for Cause. I amended the tenant's Application to exclude the matter of cancelling a 1 Month Notice to End Tenancy for cause.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to cancel a 10 Day Notice to End Tenancy for Unpaid Rent; to a monetary order for compensation for damage or loss and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 32 46, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

During the hearing the parties came to the following agreement:

1. The tenants withdraw their Application for Dispute Resolution;
2. The parties agree the tenants are entitled compensation for additional hydro use for the months of December 2011 and January 2012 in the amount of \$93.00;
3. The tenant agrees to pay the balance of the outstanding rent to the landlord in the amount of \$217.0;
4. The landlord agrees to cancel the 10 Day Notice to End Tenancy for Unpaid Rent issued on February 5, 2012 and the tenancy is reinstated.

Conclusion

In support of this agreement I grant the landlord a monetary order in the amount of **\$217.00** comprised of rent owed to be enforced only should the tenants fail to pay the amount as per the agreement made this date.

This order must be served on the tenants. If the tenants fail to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be 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 29, 2012.

Residential Tenancy Branch