



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, FF

### Introduction

This hearing was convened by way of conference call in response to an application made by the tenant for an order cancelling a notice to end tenancy for unpaid rent or utilities and to recover the filing fee from the landlord for the cost of this application.

During the course of the hearing, the parties agreed to settle this dispute on the following conditions:

1. The tenancy will end on March 31, 2012 at 1:00 p.m.;
2. The parties will conduct the move-out condition inspection report on March 31, 2012 at 1:00 p.m.;
3. The landlord will keep the \$375.00 security deposit in full satisfaction of all rental arrears due to the landlord.

In the event that damages are noted, the landlord and the tenant should come to a mutual agreement with respect to those damages. If the parties cannot arrive at a mutual agreement, the landlord will be at liberty to make an application for dispute resolution.

I find that the tenant's application for an order cancelling a notice to end tenancy for unpaid rent or utilities has not been proven and must be dismissed.

Since the parties were able to settle this dispute, the tenant is not entitled to recovery of the \$50.00 filing fee for the cost of this application.

### Conclusion

For the reasons set out above, the tenant's application is hereby dismissed without leave to reapply.

I order the parties to comply with the settlement agreement described above.

I also find that no further orders can be made with respect to the tenant's application.

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: March 30, 2012.

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Residential Tenancy Branch