



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, DRI, ERP, LRE, OPT

Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy, for an Order of Possession, to dispute a rent increase, for emergency repairs and to set conditions for the Landlord's access to the rental unit.

The Tenant said she served the Landlord with the Application and Notice of Hearing (the "hearing package") by registered mail on April 13, 2012. 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 all parties in attendance.

At the start of the Hearing the Dispute Resolution Officer informed the parties that the application is to contest a Notice to End Tenancy for Landlord's use of the property and an Order of Possession for the Tenant. The applications for emergency repairs, to dispute a rent increase and to set conditions on the Landlord's right of entry to the rental unit are separate and unrelated dispute to this application. In section 2.3 of the Residential Tenancy Branch Rules of Procedure (Dismissing unrelated disputes in a single application) a Dispute Resolution Officer may dismiss unrelated disputes within an application. The Tenants' applications for application for emergency repairs, to dispute a rent increase and to set conditions on the Landlord's right of entry to the rental are dismissed with leave to reapply.

Issues(s) to be Decided

1. Is the Tenant entitled to an Order to cancel the Notice to End Tenancy?
2. Is the Tenant entitled to an Order of Possession?

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

1. The Landlord agreed to give the Tenant the month of May, 2012 rent free.
2. The Tenant agreed to move out of the rental unit on June 1, 2012.
3. Both parties agreed to end the tenancy on June 1, 2012.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 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 agreed to end the tenancy on June 1, 2012 as part of the arrangement 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*.

Residential Tenancy Branch