



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 Tenants to cancel a 10 Day Notice to end Tenancy for Unpaid Rent or Utilities dated April 24, 2012.

Issue(s) to be Decided

1. Does the Landlord have grounds to end the tenancy?

Background and Evidence

The parties entered into a tenancy agreement on April 1, 2012 for a month-to-month tenancy commencing April 1, 2012 at rental rate of \$1,200.00 per month. The Tenants paid a security deposit of \$600.00. On or about April 24, 2012, the Landlord served the Tenants with a 10 Day Notice to end Tenancy for Unpaid Rent or Utilities which alleged rent of \$575.00 that was due on April 1, 2012 was unpaid. On May 1, 2012, the Tenants served the Landlord with a written notice to end the tenancy effective June 1, 2012.

Analysis

Section 63(2) of the Act says that if during dispute resolution proceedings the Parties agree to resolve the dispute by way of settlement, the Dispute Resolution Officer may record the settlement in a Decision or Order and the settlement is binding on the parties as if it were a Decision of the Dispute Resolution Officer.

At the beginning of the hearing, the Parties agreed that the tenancy would end on May 31, 2012 and that the Landlord would receive an Order of Possession to take effect on that date.

Conclusion

The Tenants' application is dismissed without leave to reapply. An Order of Possession to take effect on May 31, 2012 has been issued to the Landlord pursuant to s. 55(2)(d) of the Act. A copy of the Order must be served on the Tenants and may be enforced in the Supreme Court of British Columbia.

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: May 24, 2012.

Residential Tenancy Branch