



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW DECISION

Dispute Codes MNR, OPR, MNSD, FF

This hearing dealt with the Tenant's Application for Review of a Decision and Order granted to the Landlord on May 10, 2012. The Tenant applied for the Review and this hearing was granted, based on her evidence that the Landlord had accepted rent after the five days set out in a Notice to End Tenancy and by doing this had reinstated the tenancy.

The Agent for the Landlord acknowledged that the Decision and Order dated May 10, 2012, are no longer valid. The Landlord had accepted rent, however, he did not inform the Tenant that it was for "use and occupancy only" and therefore, the Landlord had reinstated the tenancy. **Based on this, I order that the Decision and Order in this matter dated May 10, 2012, are set aside and are of no force or effect.**

The Agent for the Landlord explained to the Tenant that the Landlord would now be issuing a one month Notice to End Tenancy for cause, alleging repeated late payment of rent by the Tenant. The Tenant stated that she wanted to have the dispute with the Landlord resolved.

The parties then came to a mutual agreement to end the tenancy, **effective at 1:00 p.m. July 31, 2012.** I grant the Landlord an order of possession in those terms.

The parties are commended for reaching a settlement in this matter.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: June 14, 2012.

Residential Tenancy Branch