



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, CNR, MNDC, OLC, RR

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 cause; for an order cancelling a notice to end tenancy for unpaid rent or utilities; for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement; for an order that the landlord comply with the *Act*, regulation or tenancy agreement; and for an order permitting the tenant to reduce rent for repairs, services or facilities agreed upon but not provided.

The tenant and an agent for the landlord attended the conference call hearing.

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

1. The landlord withdraws the notice to end tenancy for unpaid rent or utilities;
2. The notice to end tenancy for cause is hereby cancelled;
3. The tenant's application for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement is hereby dismissed;
4. The tenant's application for an order permitting the tenant to reduce rent for repairs, services or facilities agreed upon but not provided is hereby dismissed;
5. The landlord will erect a mail box outside the landlord's residence;
6. The tenant will pay rent on the 1st day of each month by delivering it to the landlord or the landlord's agents at the landlord's residence between the hours of 4:00 p.m. and 8:30 p.m., and if no one is at home in the landlord's residence, the tenant will be permitted to leave the rent payment in the landlord's mailbox;
7. The parties will enter into a written tenancy agreement to be prepared by the landlord or the tenant which will include:
 - a. No smoking in the rental unit or on the residential property except on the tenant's patio;
 - b. Internet is included in the rent;

8. The parties will be at liberty to agree to any other terms that may form part of the written tenancy agreement;
9. The parties will both comply with the *Residential Tenancy Act*, the regulations and the written tenancy agreement.

Conclusion

For the reasons set out above, the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued on July 3, 2012 is hereby cancelled.

The 1 Month Notice to End Tenancy for Cause issued on July 13, 2012 is hereby cancelled.

The tenant's application for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement is hereby dismissed.

The tenant's application for an order permitting the tenant to reduce rent for repairs, services or facilities agreed upon but not provided is hereby dismissed.

I hereby order the parties to comply with the settlement agreement set out above, and I order the parties to comply with the *Residential Tenancy Act*, regulation and tenancy agreement.

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: July 27, 2012.

Residential Tenancy Branch