



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, MNDC, FF

Introduction

This hearing dealt with the Tenant's Application for Dispute Resolution, seeking an order to cancel a Notice to End Tenancy issued for alleged cause, to obtain a monetary order for compensation under the Act or tenancy agreement, and to recover the filing fee for the Application.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

Settlement Agreement

It was clear during the course of the hearing that the tenancy relationship between the parties had suffered irreparable harm, due to the actions of both parties. However, during the course of the hearing the parties came to a mutual agreement to resolve this dispute.

The parties asked that the resolution be recorded in writing. Pursuant to section 63 of the Act, I have set out their settlement agreement and record it in the form of this binding decision and order.

The parties agree that:

1. The tenancy will end at **1:00 p.m. on October 31, 2012**, and the Tenant and all occupants will leave and provide the Landlord vacant, peaceful possession of the rental unit at or before this time. An **order of possession** in these terms has been granted and issued.

2. As the Landlord owes the Tenants **\$1,550.00** from a previous monetary order, the Tenant shall not be required to pay **\$1,000.00** in rent for October 2012.
3. The Landlord shall pay the Tenant the balance of **\$550.00** owed, at or before the time the Tenant vacates the rental unit in accordance with the order of possession.
4. The Landlord will have the pest control company treat the rental unit for cockroaches as soon as practicable and the Tenant may not refuse the Landlord entry for this purpose, provided proper notice to enter is given to the Tenant.
5. Both parties promised to keep the peace.

Conclusion

The parties reached a mutual agreement to resolve their dispute and it is recorded in the above decision.

The parties are commended for reaching this agreement.

This decision is final and binding on the parties, unless 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 Act.

Dated: September 18, 2012.

Residential Tenancy Branch