



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, ERP

### Introduction

This was the hearing of the tenant's application to cancel a one month Notice to End Tenancy for cause and for a repair order. The hearing was conducted by conference call. The tenant called in with her representative and the landlord called in and was assisted by her son.

### Issue(s) to be Decided

Should the one month Notice to End Tenancy dated September 26, 2012 be cancelled?

### Background and Evidence

The rental unit is a basement suite in the landlord's house in Surrey. The tenant applied to cancel a one month Notice to End Tenancy for cause dated September 26, 2012. The landlord gave the Notice because she believes that guests of the tenant who have come to the rental property damaged the rental unit by kicking in a basement window. The tenant denied responsibility for the damage and denied that the window was broken by anyone known to her. Because of the broken window the tenant said that she feels unsafe in the rental unit and she intends to move out as soon as she can secure other accommodation. The tenant has not paid rent for November.

### Analysis

During the hearing the tenant agreed to pay rent for November and confirmed that she will move out of the rental unit by November 30, 2012. The landlord is prepared to allow the tenant to stay in the rental unit until November 30, 2012 provided the November rent is promptly paid. At the hearing the landlord made arrangements to contact the tenant's representative to fix a time for the window repair man to attend at the rental unit to replace the broken window.

### Conclusion

Pursuant to the agreement of the parties I grant the landlord an order for possession effective November 30, 2012 after service on the tenant. This order may be registered in the Supreme Court and enforced as an order of that court.

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: November 09, 2012.

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Residential Tenancy Branch