



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes:

CNR

### Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant has made application to set aside a Notice to End Tenancy for Unpaid Rent/Utilities.

Both parties were represented at the hearing. They were provided with the opportunity to submit documentary evidence prior to this hearing, to present oral evidence, to ask questions, and to make submissions to me.

### Issue(s) to be Decided

Should the Notice to End Tenancy for Unpaid Rent or Utilities, served pursuant to section 46 of the *Residential Tenancy Act (Act)*, be set aside?

### Background and Evidence

After considerable discussion, the parties agreed to settle this dispute under the following terms:

- The tenancy will end on March 31, 2013
- The Tenant will pay the Landlord \$1,200.00 on February 01, 2013 and March 31, 2013
- \$100.00 of each of those payments will be applied to the Tenant's portion of the utility bills
- The Landlord will present the Tenant with a detailed list of utility charges incurred during the tenancy and payments made during the tenancy, which outlines any amount still owed
- In the event that the Tenant does not agree with the calculation of utility debt/payments, the Landlord may file an Application for Dispute Resolution seeking a monetary Order for unpaid utilities
- The Landlord may not end this tenancy on the basis of the dispute over unpaid utilities.

Conclusion

On the basis of the aforementioned settlement agreement, I grant the Landlord an Order of Possession that is effective at 1:00 p.m. on March 31, 2013.

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: January 22, 2013

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Residential Tenancy Branch

