



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding OKANAGAN ABORIGINAL & METIS HOUSING SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNQ, CNR

Introduction

This matter dealt with an application by the Tenant to cancel Notices to End Tenancy for unpaid rent and because the tenant does not qualify for a rent subsidy.

The Tenant said she served the Landlord with the Application and Notice of Hearing (the “hearing package”) by registered mail on April 23, 2013. Based on the evidence of the Tenant, I find that the Landlord was served with the Tenant’s hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

The original Hearing of May 21, 2013 was adjourned as the Tenant had evidence that was not available to the Arbitrator at the time of the hearing, although the evidence was served to the Residential Tenancy Branch on May 13, 2013. Both parties agreed to adjourn the hearing.

During the course of the adjourned hearing on June 19, 2013, the parties reached an agreement to settle these matters, on the following conditions:

1. The Tenant has given her Notice to end the tenancy for June 30, 2013 at which time she will move out of the rental unit.
2. The Landlord has agreed to end the tenancy on June 30, 2013 and the Landlord will receive an Order of Possession for June 30, 2013 which will not be served on the Tenant unless the Tenant does not move out of the rental unit by 1:00 p.m. on June 30, 2013.
3. The Landlord also agrees that the Tenant is **not responsible** for any unpaid rent for the tenancy, but the Landlord will keep the unpaid rent outstanding for accounting purposes so that the unpaid rent can be written off.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenant agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to end the tenancy on June 30, 2013 as per the above arrangement.

The Landlord has received an Order of Possession with an effective vacancy date of 1:00 p. m. June 30, 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: June 19, 2013

Residential Tenancy Branch