



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNR; RR; FF

Introduction

This Hearing dealt with a Tenant's Application for Dispute Resolution seeking to cancel a Notice to End Tenancy for Unpaid Rent; for a rent reduction; and to recover the cost of the filing fee from the Landlord.

The Hearing was conducted via teleconference and was attended by both parties, who gave affirmed testimony.

It was determined that the Landlord was served with the Notice of Hearing documents on September 25, 2013, by registered mail.

Preliminary Matters

At the outset of the Hearing, it was determined that the Notice to End Tenancy is not a valid notice because it does not conform to the requirements of Section 52 of the Act.

The Landlord testified that he issued another Notice to End Tenancy for Unpaid Rent in October, 2013, and that a Hearing date has been set for October 28, 2013. The Landlord provided the Residential Tenancy Branch file number for the Hearing.

During the course of the Hearing, the parties reached a settlement agreement. Pursuant to the provisions of Section 63 of the Act and at the request of the parties, I have hereby recorded the terms of the settlement.

1. The parties reached a mutual agreement that the tenancy will end at 12:00 midnight on October 31, 2013;
2. The Landlord will keep the security deposit in the amount of \$950.00 in full satisfaction of the unpaid rent.
3. In consideration for this mutual settlement, the parties agree that no further claims will be made by either party whatsoever arising from this tenancy.

Conclusion

In support of this settlement agreement, I hereby provide the Landlord with an Order of Possession effective 12:00 midnight, October 31, 2013. This Order may be enforced in the Supreme Court of British Columbia as an Order of that Court.

There will be no order as to reimbursement of the filing fee.

The Hearing scheduled for 9:00 a.m., October 28, 2013, is canceled.

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: October 21, 2013

Residential Tenancy Branch

