



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNR, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a notice to end tenancy for unpaid rent.

### Procedural matter

At the start of the hearing I went through the nature of the dispute listed in the tenant's application. After the hearing it was discovered that the landlord had filed an application that was joined to be heard with the tenant's application, however, neither party identified that the landlord had filed an application for dispute resolution during the hearing.

As I did not have the landlord's application before me during the hearing and if this decision does not address the nature of their dispute the landlord's is at liberty to reapply.

### Settlement agreement

Both parties appeared. As neither party submitted a copy of the notice to end tenancy and the parties could not agreed on the contents of the notice, the parties agreed to settle this matter, on the following conditions:

- 1) The tenant agreed to vacate the rental unit on **November 25, 2013 at 1:00pm;**  
and
- 2) The parties agreed that the landlord is entitled to an order of possession.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

As this matter was settled, I decline to award the tenant the cost of recovering the filing fee from the landlord.

### Conclusion

As a result of the above settlement, the landlord is granted an order of possession.

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 19, 2013

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Residential Tenancy Branch

