



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

A hearing was conducted by conference call in the presence of both parties. On the basis of the solemnly affirmed evidence presented at that hearing, a decision has been reached. All of the evidence was carefully considered.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

Issue(s) to be Decided

The issue to be decided is whether the tenant is entitled to an order cancelling a two month Notice to End Tenancy?

Background and Evidence

The tenancy began on July 15, 2010. The tenancy agreement provided that the tenant(s) would pay rent of \$1200 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$600 on July 15, 2010. The landlord served a two month Notice to End Tenancy on the Tenant.

On December 7, 2013 the parties entered into a mutual agreement to end the Tenancy in writing that provided that the tenancy would end on December 31, 2013. The tenant has applied his right to receive the equivalent of one month rent under section 51 of the Residential Tenancy Act to the rent for December.

Settlement:

The parties have reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Residential Tenancy Act as follows:

- a. The parties mutually agree to end the tenancy on December 31, 2013.
- b. The parties request that the dispute resolution officer issue an Order for Possession for that date.

Order for Possession

As a result of the settlement I granted an Order for Possession effective December 31, 2013

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

At the hearing the tenant submitted he was entitled to compensation for work and improvements he has made to the property. The landlord disputes this claim. I determined it was not appropriate to hear these claims as they were not raised in the Application for Dispute Resolution. The tenant must file a new claim if he wishes to pursue these matters.

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: December 19, 2013

Residential Tenancy Branch

