



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### 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.

I find that the Notice to End Tenancy was personally served on the Tenant on October 30, 2013. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the landlord on November 4, 2013. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated October 30, 2013?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

### Background and Evidence

The tenancy began on July 31, 2013. The tenancy agreement provided that the tenant(s) would pay rent of \$875 per month payable on the first day of each month. The tenant receives a \$100 per month discount for the first 12 months if she pays the rent on time. The tenant(s) paid a security deposit of \$437.50 at the start of the tenancy.

Settlement:

At the end of the hearing the parties 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 January 31, 2014.
- b. The tenant represents that she will pay the rent for January in full when due.
- c. The tenant represents that she will end the late night disturbances.
- d. The parties request that the arbitrator issue an Order for Possession for January 31, 2014.

**As a result of the settlement I issue an Order for Possession effective January 31, 2014.**

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.

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 13, 2013

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Residential Tenancy Branch

