



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

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 sufficiently served on the Tenant on February 24, 2014. Further I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the landlord by mailing, by registered mail to where the landlord carries on business on February 27, 2014.

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 February 24, 2014 and setting the end of tenancy for March 31, 2014?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The tenancy began on May 15, 2012. The present rent is \$950 per month. The tenant paid a security deposit of \$475 in April 2012.

The landlord has served a one month Notice to End Tenancy on the Tenant at the end of February.

Settlement:

During 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 April 30, 2014.
- b. The parties agree the Notice to End Tenancy dated February 24, 2014 should be cancelled.
- c. The parties request the arbitrator grant an Order for Possession for April 30, 2014.

As a result of the settlement I ordered that the Notice to End Tenancy dated February 24, 2014 be cancelled. **I granted an Order for Possession effective April 30, 2014.** All other claim in this application are dismissed as they were not part of the settlement.

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: March 13, 2014

Residential Tenancy Branch

