



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

AGREEMENT BETWEEN BOTH PARTIES

Dispute Codes CNR, MNDC

Introduction

This matter dealt with an application by the tenant to cancel the 10 Day Notice to End Tenancy for unpaid rent. The tenant also sought a Monetary Order for money owed or compensation for damage or loss under the *Residential Tenancy Act (Act)*, regulations or tenancy agreement.

Preliminary issues

RTB Rules of Procedure 2.3 states that “if in the course of a dispute resolution proceeding, the Arbitrator determines that it is appropriate to do so, the Arbitrator may dismiss unrelated disputes contained in a single application with or without leave to reapply.” In this regard I find that not all the claims on the tenant’s application are sufficiently related to the main issue to be dealt with together. Prior to the parties making an agreement in the matter of the 10 Day Notice to End Tenancy I made the decision not to deal with the tenant’s application for a Monetary Order for money owed or compensation for damage or loss under the *Act (Act)*, regulations or tenancy agreement. This agreement therefore relates to the tenant’s application to cancel the 10 Day Notice to End Tenancy and the remainder of the tenant’s application is dismissed with leave to reapply.

Through the course of the hearing the landlord and the tenant came to an agreement in settlement of the tenant's application.

The Parties did not require me to make a decision in this matter but required me to record the agreement they mutually reached.

This agreement is as follows:

- The tenant agreed to vacate the rental unit on September 09, 2014 on or before 9.00 p.m.
- The landlord agreed to withdraw the 10 day Notice to End Tenancy on the condition that the tenant does vacate the rental unit by 9.00 p.m. on September 09, 2014.
- The parties agreed that the landlord will be issued with an Order of Possession pursuant to s. 55 of the Act. This Order will be served upon the tenant in the event the tenant does not vacate the rental unit on the date and time agreed above.

Conclusion

Both Parties have reached an agreement during the hearing and this agreement has been recorded by the Arbitrator pursuant to section 62 of the *Act*.

This agreement is in full, final and binding settlement of the tenant's application to cancel the Notice to End tenancy.

The remainder of the tenant's application is dismissed with leave to reapply.

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: September 03, 2014

Residential Tenancy Branch

