



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, MNDC

### Introduction:

The tenant has applied for an Order to cancel two Landlord Use Notices to End the Tenancy dated December 3 and December 19, 2014 as well as seeking a monetary Order for compensation for a breach of the covenant of quiet enjoyment.

### Facts:

A hearing was conducted in the presence of both parties. A tenancy began on May 1, 2014 with rent in the amount of \$ 600.00 due in advance on the first day of each month. The tenant paid a security deposit amounting to \$ 300.00 on May 1, 2014.

### Settlement:

The parties settled this matter and I have recorded the agreement pursuant to section 63(2) as follows:

- a. The parties have agreed to end the tenancy effective February 28, 2015 at 1:00 PM,
- b. The tenant will not pay any rent for January 2015 as consideration for this settlement,
- c. The tenant will pay only \$ 400.00 rent for February 2015 as consideration for this settlement, and
- d. The tenant agrees to pay one third of the utilities for the months of December 2014 through February 2015 upon presentation of bills by the landlord.

Conclusion:

As a result of the settlement I have granted the landlord an Order for Possession effective February 28, 2015 at 1:00 PM. This order may be enforced in the Supreme Court of B.C. There shall be no order as to reimbursement of the filing fee herein. I have cancelled the Notices to End the Tenancy dated December 3 and December 19, 2014. I have dismissed all of the tenant's other claims herein. The parties are cautioned to deal with the security deposit in compliance with section 38 of the Act.

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: January 12, 2015

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Residential Tenancy Branch

