



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL

### Introduction:

The tenant has applied for Order to cancel a landlord use Notice to End the Tenancy dated November 29, 2014 with an effective date of January 31, 2015.

### Facts:

A tenancy began fifteen years ago with rent in the amount of \$ 1,115.00. The landlord holds a security deposit of about \$ 500.00. The landlord required vacant possession to conduct extensive renovations to the unit as required by the city.

### Settlement:

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

- a. The tenant will move out of the unit on March 1, 2015 at 1:00 PM permitting the landlord to conduct the repairs and renovations,
- b. The tenant will not be required to pay rent for February or March 2015,
- c. The tenant be permitted to leave behind without any affect on her security deposit, any personal items she wishes disposal of,
- d. The tenant will have the right to move back into the unit after completion of the renovations upon the landlord giving her adequate and ample prior notice so that she may vacate the unit wherever she has relocated to,
- e. The landlord has the right to increase the rent by no more than \$ 100.00 per month when the tenant moves back and is thereafter governed by section 43 of the Act for any further rent increases, and

- f. The landlord will assist the tenant in finding help with her move.

Conclusion:

As a result of the settlement I have granted the landlord an Order for Possession effective March 1, 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 dismissed the tenant's application. 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

