



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes            CNC, FF, OPC, 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 one month Notice to End Tenancy was sufficiently served on the Tenants by posting on January 6, 2015. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by each party was sufficiently served on the other. 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 tenants are entitled to an order cancelling the one month Notice to End Tenancy dated January 6, 2015?
- b. Whether the tenants are entitled to recover the cost of the filing fee?
- c. Whether the landlords are entitled to an Order for Possession?
- d. Whether the landlords are entitled to recover the cost of the filing fee?

### Background and Evidence

The tenancy began on October 18, 2014 when the parties entered into a one year fixed term written tenancy agreement that was to end on November 1, 2015. The tenancy agreement

provided that the tenant(s) would pay rent of \$1950 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$975 at the start of the tenancy.

Settlement:

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 or before 1:00 p.m. on June 1, 2015.
- b. The parties request that the arbitrator issue an Order for Possession for the date above.
- c. The parties release and discharge each other from all other claims set out in their respective Application for Dispute Resolution.

Order for Possession

As a result of the settlement I issued an Order for Possession effective 1:00 p.m. on June 1, 2015. All other claims in the respective Applications are dismissed.

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: February 04, 2015

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Residential Tenancy Branch

