



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, FF

This is an application filed by the tenant to cancel a notice to end tenancy issued for cause and recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony. The tenant stated that he did not submit any documentary evidence. The landlord states that documentary evidence was submitted late and that copies were not served upon the tenant. I find that as the landlord failed to serve the tenant with their documentary evidence package and that it was also submitted late to the Residential Tenancy Branch without reason that the landlord's documentary evidence is excluded and shall not be considered for this hearing.

Section 63 of the Residential Tenancy Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the two parties during the hearing led to a resolution. Specifically, it was agreed as follows:

Both parties agreed to mutually end the tenancy on March 31, 2015 at or before 1:00pm. Both parties also agreed that the landlord shall receive an order of possession to reflect this agreement.

The above particulars comprise full and final settlement of all aspects of the dispute arising from this application for both parties.

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 27, 2015

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Residential Tenancy Branch

