



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Penticton Apartments Limited  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, CNR

### Introduction

This hearing was convened by way of conference call concerning an application made by the tenant for an order cancelling a notice to end the tenancy for cause and for an order cancelling a notice to end the tenancy for unpaid rent or utilities.

The tenant and the named landlord attended the hearing, and the named landlord also represented the landlord company.

During the course of the hearing the parties agreed to settle this dispute on the following terms:

1. The tenant will pay the \$700.00 rental arrears by September 15, 2015;
2. The tenant will pay \$700.00 for October's rent on or before October 1, 2015;
3. If the tenant pays the rent by the dates mentioned above, the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated July 2, 2015 and the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated September 2, 2015 are cancelled and the tenancy continues;
4. The landlord will have an Order of Possession effective October 2, 2015 but will not act upon it unless the tenant fails to pay the rent on September 15 or October 1, 2015;
5. If the tenant pays the rental arrears by September 15, 2015 and October's rent by October 1, 2015, the Order of Possession is null and void and cannot be acted upon;
6. The 1 Month Notice to End Tenancy for Cause dated June 30, 2015 is hereby cancelled.

### Conclusion

For the reasons set out above, I hereby order the tenant to pay to the landlord \$700.00 of rental arrears by September 15, 2015.

I further order the tenant to pay to the landlord \$700.00 for October, 2015 rent on or before October 1, 2015.

I hereby grant an Order of Possession in favour of the landlord effective October 2, 2015. If the tenant pays the rental arrears of \$700.00 by the 15<sup>th</sup> of September, 2015 and the current rent for October, 2015 by October 1, 2015, the Order of Possession is null and void and the tenancy continues. If the tenant fails to make those payments by those dates, the landlord may serve the Order of Possession and the tenancy will end without the necessity of serving another notice to end the tenancy or applying for an Order of Possession.

I hereby cancel the 1 Month Notice to End Tenancy for Cause dated June 30, 2015.

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 09, 2015

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Residential Tenancy Branch

