



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Singla Homes Ltd  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNR, CNL, LRE, FF

### Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking to cancel two notices to end tenancy and an order to suspend or set conditions on the landlord's right to enter the rental unit.

The hearing was conducted via teleconference and was attended by the tenant and the landlord's agent.

### Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property; to cancel a 10 Day Notice to End Tenancy for Unpaid Rent; to an order to suspend or set conditions on the landlord's right to enter the rental unit and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 29, 46, 49, 67, and 72 of the *Residential Tenancy Act (Act)*.

### Background and Evidence

The parties agreed the tenancy began in March 2014 as a month to month tenancy for a current monthly rent of \$1,225.00 due on the 1<sup>st</sup> of each month with a security deposit of \$600.00 paid. The tenant testified a pet damage deposit of \$250.00 was paid; the landlord has no record of such a deposit.

The tenant submitted into evidence the following relevant documents:

- A copy of a 2 Month Notice to End Tenancy for Landlord's Use of Property issued on September 15, 2015 with an effective vacancy date of November 30, 2015 citing the landlord has all the necessary permits and approvals required by law to demolish the rental unit or repair the rental unit in a manner that requires the rental unit to be vacant; and
- A copy of a 10 Day Notice to End Tenancy for Unpaid Rent issued on November 4, 2015 with an effective vacancy date of November 14, 2015 due to \$1,225.00 in unpaid rent.

During the hearing the parties reached the following settlement:

1. The tenant withdraws his Application for Dispute Resolution in its entirety;
2. The tenant agrees to vacate the rental unit in accordance with the 2 Month Notice to End Tenancy for Landlord's Use of Property; and
3. The parties agree to change the effective date of the 2 Month Notice to be December 1, 2015 at 1:00 p.m.

### Conclusion

In support of this settlement and with agreement of both parties I grant the landlord an order of possession effective **December 1, 2015 after service on the tenant**. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

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: November 30, 2015

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Residential Tenancy Branch

