



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC, PSF, RR

Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel the one month Notice to End Tenancy dated September 21, 2015
- b. An order that the landlord comply with the Act, regulation or tenancy agreement.
- c. An order that the landlord provided services or facilities required by law
- d. An order to allow the tenant to reduce rent for repairs, services or facilities agreed upon but not provided.

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 personally served on the Tenant on September 21, 2015. Further I find that the Application for Dispute Resolution/Notice of Hearing was served on the landlord on September 25, 2015.

Settlement:

At the start of the hearing the parties reached a settlement and the parties asked that I record the settlement pursuant to section 63(2) of the Residential Act as follows:

- a. The parties mutually agree to end the tenancy on February 29, 2016.
- b. The parties request the arbitrator issue an Order for Possession for February 29, 2016.
- c. The parties consent to the dismissal of the remaining claims set out in the Application for Dispute Resolution.

As a result of the settlement I issued an Order for Possession effective February 29, 2016. The remaining claims in the Application for Dispute Resolution 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.

The Advocate for the tenant expressed concerns about some of the allegations in the material filed by the landlord (i.e. the allegation the tenant is responsible for damage to the floor) and the status of the security deposit. I advised the parties those matters are not part of this settlement.

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 26, 2015

Residential Tenancy Branch

