



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Westgate Capital
and (Tenant name suppressed to protect privacy)

DECISION

Dispute Codes CNC

Introduction

This was a hearing with respect to the tenants' application to cancel a one month Notice to End Tenancy for cause. The hearing was conducted by conference call. The named tenant and the landlord's agent called in and participated in the hearing.

Issue(s) to be Decided

Should the Notice to End Tenancy dated May 10, 2016 be cancelled?

Background and Evidence

The rental unit is an apartment in Maple ridge. The tenancy began April 1, 2015. The tenants were served with a one month Notice to End Tenancy dated May 10, 2016. The tenants applied to dispute the Notice to End Tenancy on May 17, 2016. The alleged ground for the Notice to End Tenancy is that the tenants breached a material term of the tenancy agreement that was not rectified within a reasonable time after written notice to do so.

At the hearing the parties agreed that the tenancy will end on July 2, 2016 and the landlord will have an order for possession effective that date. This outcome was reached by agreement between the parties. I made no finding at the hearing that there were any valid grounds or facts to support the Notice to End Tenancy given by the landlord.

Settlement terms

The tenants have secured other living accommodation and intend to move from the rental unit on July 2, 2016. The tenancy will end on July 2, 2016 and the landlord has been granted an order of possession effective July 2, 2016 after service on the tenants.

This order may be filed in the Supreme Court and enforced as an order of that court. The tenants' security deposit and pet deposit will be dealt with in accordance with the *Residential Tenancy Act* at the end of the tenancy.

Conclusion

The parties settled the matters in dispute on this application. They agreed to end the tenancy effective July 2nd and the landlord has been granted an order of possession effective that date.

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: June 22, 2016

Residential Tenancy Branch