



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, OPC

### Introduction

The Application for Dispute Resolution filed by the Tenants seeks an order to cancel a one month Notice to End Tenancy dated July 11, 2016.

The Application for Dispute Resolution filed by the landlord seeks an Order for Possession for cause.

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 July 11, 2016. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by each party was sufficiently served on the other. was personally served on February , 2016. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the Tenant is entitled to an order cancelling the one month Notice to End Tenancy dated July 11, 2016?
- b. Whether the landlord is entitled to an Order for Possession?

### Background and Evidence

The parties entered into a written tenancy agreement that provided that the tenancy would start on April 1, 2016. The rent paid by the rent is \$320 per month payable in advance on the first day of each month. The tenant paid a security deposit of \$177.50 at the start of the tenancy.

Settlement:

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

- a. The parties mutually agree to end the tenancy by November 30, 2016 at the latest and the Tenant shall vacate the rental unit by that time.
- b. The parties agree that if the Tenant finds alternative accommodation prior to that date she shall be entitled to vacate the rental unit earlier upon giving immediate notice and the landlord shall reimburse to the tenant the proportion of the rent for the remainder of the month after she has vacated.

Analysis - Order of Possession:

As a result of the settlement I issued an Order for Possession for November 30, 2016.

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.

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 19, 2016

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Residential Tenancy Branch