



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: CNL, OLC, LRE, AAT

Introduction and Issues to be Decided:

The tenant applied for an order to: to compel the landlord to comply with the Act, cancel a landlord use Notice to End a Tenancy, suspend the landlord's right of entry, and allow the tenant access to the unit. All parties attended the hearing.

Preliminary Matters:

The tenant included a monetary Order worksheet as part of his evidence without making a monetary claim. I have determined that there was not a monetary claim before me and therefore I have not dealt with that issue. The tenant is free to make such a claim properly.

Settlement:

A tenancy began on February 1, 2015 with monthly rent amounting to \$ 375.00 payable on the first day of the month. There was not any security deposit. The parties agreed that the tenancy shall end on November 30, 2106 subject to further rent payments being made, and they have asked that I record the terms pursuant to section 63(2) as follows:

- a. The tenant will pay the landlord \$ 375.00 by September 30, 2016 representing rent for September 2016,
- b. The tenant will pay the landlord \$ 375.00 by October 1, 2016, representing rent for October 2016,
- c. The tenant will not pay any rent for November 2016,
- d. The landlord will repair or replace/reinstate the fridge, stove, washer, dryer, hot water and heat by September 30, 2016,

- e. If the landlord does not make the aforementioned repairs by September 30, then the tenant will not pay any rent for October 2016 as well as November 2016,
- f. The landlord will not access the rental property without giving proper 24 hour advance written notice to the tenant in accordance with the Act, and
- g. The landlord will have an Order for Possession effective November 30, 2016.

Conclusion:

As a result of the settlement I granted an Order for Possession effective November 30, 2016. I have dismissed all of the tenant's applications with leave. The tenant must be served with a copy of this Order which can be executed upon in the Supreme Court of BC.

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 26, 2016

Residential Tenancy Branch