



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes CNC, FF

The tenant sought to cancel the landlord's 1 Month Notice to End Tenancy for Cause and to recover the filing fee paid for the application.

Section 63 of the *Act* provides that if the parties settle their dispute during a hearing the Director may record the settlement in the form of a decision or an order. Pursuant to the above provision, discussion between the parties during the hearing led to a settlement / resolution. Specifically, the parties agreed and confirmed as follows;

1. the tenant and landlord agree that this tenancy will end no later than Thursday, December 22, 2016 at 1:00 p.m.;
2. the landlord will receive an order of possession effective December 22, 2016 at 1:00 p.m.;
3. the tenant and landlord agree the tenant and landlord will inspect the condition of the rental unit on December 22, 2016 at 2:30 p.m. at which time the tenant will return the key;
4. The tenant and landlord agree that the landlord or landlord's agent will reimburse the remaining nine days of rent in the amount of \$203.23 ($\$700.00/31 \text{ days} = \$22.58 \times 9 \text{ days}$) to the tenant by way of cheque on December 22, 2016 at the time of inspection;
5. The tenant will receive a monetary order in the amount of \$203.23. The tenant will not enforce the monetary order if the landlord pays within the time stipulated above.
6. The tenant agrees to absorb the cost of the filing fee.

The above particulars comprise **full and final settlement** of all aspects of the dispute arising from this application.

This Decision, Monetary Orders and Settlement Agreement are final and binding on both parties.

Conclusion

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: December 20, 2016

Residential Tenancy Branch