



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, DRI

### Introduction

This hearing convened as a result of cross applications. In the Tenant's Application for Dispute Resolution the Tenant disputed a rent increase and requested an Order canceling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued on March 6, 2017 (the "Notice"). The Landlord sought an Order of Possession and monetary compensation based on the Notice.

The hearing was conducted by teleconference on April 18, 2017.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

The Landlord confirmed that the rent increase she sought was to have the Tenant contribute towards the cost of utilities; she further confirmed that she did not issue a Notice of Rent Increase in the approved form and as such did not expect the Tenant to pay more than the \$1,450.00 required by the tenancy agreement. As such, the Tenant's application disputing the rent increase was not required.

### Settlement and Conclusion

During the hearing the parties reached a settlement regarding the end of the tenancy. Pursuant to section 63 of the *Act*, I record their agreement in this my decision and resulting Orders. The terms of the settlement are as follows:

1. The Tenant will vacate the rental unit by no later than 1:00 p.m. on May 31, 2016.

2. The Landlord is entitled to an Order of Possession effective 1:00 p.m. on May 31, 2016. This Order must be served on the Tenant and may be filed in the Supreme Court and enforced as an Order of that Court.
3. The Tenant's obligation to pay rent is as set out in the tenancy agreement, and the Landlord's claim for a Monetary Order is dismissed with leave to reapply.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: April 18, 2017

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Residential Tenancy Branch