



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPC, OPB & FF

### Introduction

The Application for Dispute Resolution filed by the landlord makes the following claims:

- a. An Order for Possession for cause
- b. An order to recover the cost of the filing fee

A hearing was conducted by conference call in the presence of a representative of the applicant and in the absence of the respondent although duly served. 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. The parties acknowledged they had received the documents of the other party.

I find that the one month Notice to End Tenancy was served on the Tenants by posting on April 13, 2017. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the Tenants on May 4, 2017. 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 landlord is entitled to an Order for Possession?
- b. Whether the landlord is entitled to recover the cost of the filing fee?

### Background and Evidence

The parties entered into a month to month written tenancy agreement that provided that the tenancy would start on November 1, 2013. The present rent is \$795 per month payable in advance on the first day of each month. The tenants paid a security deposit

of \$362.50 and a pet damage deposit of \$362.50 at the start of the tenancy. The tenant(s) have remained in the rental unit.

Settlement::

At 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 landlord shall withdraw the one month Notice to End Tenancy dated April 13, 2017 on a without prejudice basis.
- b. If there are any further difficulties that landlord shall have liberty to serve a new Notice to End Tenancy based on the evidence in this Notice.

As a result of the withdrawal of the Notice to End Tenancy I ordered that the application of the landlord shall be dismissed. If there are any further difficulties the landlord shall have liberty to serve a new Notice based on the same grounds and evidence.

**This decision is final and binding on both parties.**

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 07, 2017

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Residential Tenancy Branch