



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC

### Introduction

The Application for Dispute Resolution filed by the Tenants seeks an order to cancel the one month Notice to End Tenancy dated July 26, 2017,

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 served on the Tenants by posting on July 31, 2017. Further I find that the Application for Dispute Resolution/Notice of Hearing was served on the landlords by placing it in the mailbox on August 10, 2017. With respect to each of the applicant's claims I find as follows:

### Issue(s) to be Decided

The issue to be decided is whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated July 26, 2017?

### Background and Evidence

The tenancy began on December 1, 2015. The present rent is \$933 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$450 at the start of the tenancy.

### Grounds for Termination:

The Notice to End Tenancy identifies the following grounds:

- Tenant or a person permitted on the property by the tenant has:  
...

- seriously jeopardized the health or safety or lawful right of another occupant or the landlord
- put the landlord's property at significant risk

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 on March 31, 2018.
- b. The parties request the arbitrator to issue an Order of Possession for March 31, 2018.

Order for Possession:

As a result of the settlement I granted an Order of Possession effective March 31, 2018.

The tenant(s) must be served with this Order as soon as possible. Should the tenants fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

**This decision is final and binding on the 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: October 11, 2017

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Residential Tenancy Branch