



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, MNDC

Introduction

The Application for Dispute Resolution filed by the Tenant seeks the following:

- a. An order to cancel the two month Notice to End Tenancy dated July 26, 2017
- b. A monetary order in the sum of \$100.

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.

I find that the 2 month Notice to End Tenancy was served on the Tenant by posting on July 26, 2017. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on the landlord on August 9, 2017.

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the two month Notice to End Tenancy dated July 26, 2017
- b. Whether the tenant is entitled to a monetary order and if so how much?

Background and Evidence

The tenant began his tenancy in this rental property in 2005. In October 2012 he rented the rental unit which is the subject of this application. The present rent is \$1086 per month. The tenant paid a security deposit of \$497.

Grounds for Termination:

The Notice to End Tenancy relies on section 49 of the Residential Tenancy Act. That section provides as follows:

- The landlord has all necessary permits and approvals required by law to demolish the rental unit or repair the rental unit in a manner that requires the rental unit to be vacant

Settlement:

The Tenant and his Advocate advised me they had reached a settlement with the head office of the landlord late yesterday afternoon. The settlement involves the payment of a sum of money to the tenant and the tenant would vacate the rental unit at the end of November 2017. The representative of the landlord stated she was advised that a settlement had been reached but had not yet been told of the terms of the settlement.

As a result of the settlement the tenant stated he wished to withdraw his Application for Dispute Resolution. The landlord consented to the withdrawal. As a result I ordered that the application be dismissed as withdrawn.

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: November 01, 2017

Residential Tenancy Branch