



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes AS, CNC, ERP, FF, RP, RR

### Introduction

This hearing convened as a result of the Tenant's Application for Dispute Resolution wherein the Tenant requested an Order cancelling a Notice to End Tenancy for Cause issued on August 31, 2017, an Order that the Landlord make repairs, emergency and otherwise, an Order that she be permitted to sublet the rental unit, an Order that she be permitted to reduce her rent for the cost of repairs, services or facilities and to recover the filing fee.

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

### Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

The terms of their settlement follow.

### Settlement and Conclusion

1. The tenancy shall end and the Tenant shall vacate the rental unit by no later than **1:00 p.m. on December 31, 2017.**
2. The Landlord is granted an Order of Possession effective **1:00 p.m. on December 31, 2017.** The Landlord must serve the Order on the Tenant as soon

as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.

3. By no later than December 9, 2017, the Landlord shall replace the refrigerator in the rental unit.
4. The Tenant shall be entitled to reduce her December 2017 rent by \$50.00 representing one half of the filing fee.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter. All other claims contained within the Tenant's Application for Dispute Resolution are dismissed as if tried on their merits.

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 29, 2017

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Residential Tenancy Branch