



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF, CNC, LRE

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

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

The Application for Dispute Resolution filed by the Tenant(s) makes the following claims:

- a. An order to cancel the one month Notice to End Tenancy dated November 23, 2017
- b. An order to suspend or set conditions on the landlord's right to enter the rental unit.

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.

I find that the one month Notice to End Tenancy was served on the Tenant by mailing, by registered mail to where the tenant(s) reside on November 23, 2017. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by each party was sufficiently served on the other by mailing, by registered mail to where the other party resides. 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 tenant is entitled to an order cancelling the one month Notice to End Tenancy dated November 23, 2017.
- b. Whether the tenant is entitled to an order suspending or setting conditions on the landlord's right to enter the rent unit.
- c. Whether the landlord is entitled to an Order for Possession?
- d. Whether the landlord is entitled to recover the cost of the filing fee?

Background and Evidence:

The parties entered into a written tenancy agreement that provided that the tenancy would start on July 1, 2015. The present rent is \$1600 per month payable in advance on the first day of each month. The tenant paid a security deposit of \$750 prior to the start of the tenancy.

The tenant(s) continue to reside in the rental unit. .

Settlement:

At the start of 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 15, 2018.
- b. The parties request the arbitrator issue an Order of Possession for March 15, 2018.
- c. The parties acknowledged the tenant is responsible to pay the rent for the period of time the tenancy is ongoing.

Order for Possession:

As a result of the settlement I granted the landlord an Order for Possession effective March 15, 2018. .

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

All other claims of both parties are dismissed.

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: January 16, 2018

Residential Tenancy Branch