



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNC, FFT

### **Introduction:**

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

- a. An order to cancel the one month Notice to End Tenancy dated March 18, 2018
- b. An order to recover the cost of the filing fee.

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.

At the start of the hearing the parties entered into settlement discussions and rather than proceed with the litigation they entered into an agreement which is set out below.

I find that one month the Notice to End Tenancy was served on the Tenant by posting on March 18, 2018. Further I find that the Application for Dispute Resolution/Notice of Hearing was served on the landlord by mailing, by registered mail to where the landlord resides. The landlord acknowledged receipt of the Application for Dispute Resolution. :

### **Issues to be Decided:**

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the Notice to End Tenancy dated March 18, 2018
- b. Whether the tenant 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 begin on December 1, 2017. The rent was \$1150 per month payable in advance on the first day of each month. The tenant paid a security deposit of \$575 and a pet damage deposit of \$200 at the start of the tenancy.

### **Settlement:**

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 August 31, 2018.
- b. The parties request that the arbitrator issue an Order of Possession for August 31, 2018.

Determination and Orders:

As a result of the settlement I issued an Order of Possession effective August 31, 2018. All other claims are dismissed as they were not part of the settlement.

The tenant must be served with this Order as soon as possible. Should the tenant 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: June 05, 2018

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Residential Tenancy Branch