



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNL, FF

### **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
- 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.

The parties reached a settlement and they did not proceed with the litigation.

I find that the 2 month Notice to End Tenancy was served on the Tenants by posting on April 29, 2018. Further I find that the Application for Dispute Resolution/Notice of Hearing was sufficiently served on the landlord. With respect to each of the applicant's claims I find as follows:

### **Issues 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?
- b. Whether the tenant is entitled to recover the cost of the filing fee?

### **Background and Evidence:**

The tenancy began on April 15, 2016. The tenancy agreement provided that the tenant(s) would pay rent of \$1350 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$675 at the start of the hearing.

### **Settlement:**

The parties reached a settlement and they asked that I record the settlement pursuant to section 63(2) of the Act as follows:

- a. The parties mutually agree to end the tenancy on September 30, 2018.
- b. The parties request that the arbitrator issue an Order of Possession effective September 30, 2018.

Determination and Orders:

As a result of the settlement I granted an Order of Possession effective September 30, 2018. All other claims are dismissed.

The tenants 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: July 12, 2018

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Residential Tenancy Branch