



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNC, FFT, LRE, OLC MNDC

### **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 27, 2018 and setting the end of tenancy for April 30, 2018
- b. An order for a monetary order \$7175
- c. An order that the landlord comply with the Act, Regulations and/or tenancy agreement.
- d. An order suspending or setting conditions on the landlord's right to enter the property.
- e. 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.

Both parties were given a full opportunity to present evidence and make submissions. Neither party requested an adjournment or a Summons to Testify. The hearing was initially scheduled for June 1, 2018. There was not sufficient time to hear all of the evidence and it was reconvened to August 10, 2018. On August 10, 2018 the parties entered into settlement negotiation and reached a settlement.

I find that the Notice to End Tenancy was personally served on the Tenant on March 27, 2018. Further I find that the Application for Dispute Resolution/Notice of Hearing filed by the Tenants was sufficient served on the landlord by mailing, by registered mail to where the landlord carries on business. was personally served on November , 2016. With respect to each of the applicant's claims I find as follows:

### **Background and Evidence:**

The tenancy began in January 2018. The tenancy agreement provided that the tenant(s) would pay rent of \$1895 per month payable in advance on the first day of each month. The tenant(s) paid a security deposit of \$947 at the start of the tenancy.

Settlement:

At the start of the second day of 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 September 17, 2018.
- b. The parties request that the arbitrator issue an Order of Possession for September 17, 2018.
- c. The landlord shall retain the security deposit of \$947 in full satisfaction of the rent for September 2018.
- d. This is a full and final settlement and the tenants release and discharge the landlord from all claims relating to this tenancy.
- e. This is a full and final settlement and the Tenants release and discharge the landlord from all claims relating to this tenancy.

As a result of the settlement I granted an Order of Possession effective 1:00 p.m. on September 17, 2018. All other claims in the Application for Dispute Resolution are dismissed without leave to re-apply.

**This decision and settlement 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: August 10, 2018

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Residential Tenancy Branch