



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MT, CNC, CNR, DRI, MNDC, FF

### Introduction

This hearing dealt with an application for Dispute Resolution filed by the Tenants, for more time to make the application, to cancel a One Month Notice to End Tenancy for Cause, to cancel a 10 Day Notice to End Tenancy for Unpaid Rent, to dispute a rent increase, for compensation for loss or damage under the Act, regulations or tenancy agreement, and to recover the filing fee.

Service of the hearing documents by the Tenants to the Landlord were done by personal delivery on August 8, 2018 in accordance with section 89 of the Act. The Landlord confirmed receiving the Tenants' application and hearing package.

### Issues to be Decided

Tenant:

1. Is the Tenant entitled to more time to make the application?
2. Is the Tenant entitled to an order to cancel the Notices to End Tenancy?
3. Does the rent increase comply with the Act?
4. Is the Tenant entitled to compensation and if so how much?

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The Landlord and Tenants agreed to continue the tenancy until October 31, 2018.
2. The Tenants agreed to vacate the rental unit on October 31, 2018 by 1:00 p.m.

3. The Landlord agreed to accept \$210.00 as full payment of the rent for October, 2018 as the Tenant had overpaid the rent in the previous 4 months. The Tenants' Advocate C.R. agreed to forward the overpayment calculations to the Landlord forthwith.
4. The Landlord will receive an Order of Possession with and effective vacancy date of October 31, 2018.
5. The Tenants' security deposit will be dealt with in accordance to the Act at the end of the tenancy.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

#### Conclusion

The Parties agreed to end the tenancy on October 31, 2018 at 1:00 p.m. as per the above arrangement.

The Landlord has received an Order of Possession with an effective vacancy date of October 31, 2018.

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: September 24, 2018

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Residential Tenancy Branch