



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ZHENI JIANG
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, MNDC, OLC, PSF, RR

Introduction

This matter dealt with an application by the Tenant to cancel a 1 Month Notice to End Tenancy for Cause, for compensation for loss or damage under the Act, regulations and tenancy agreement, for the Landlord to comply with the Act, regulations and tenancy agreement, for the Landlord to provide services and facilities agreed to in the tenancy agreement and for a rent reduction.

The Tenant said she served the Landlord with the Application and Notice of Hearing (the “hearing package”) by registered mail on August 31, 2018. Based on the evidence of the Tenant, I find that the Landlord was served with the Tenant’s hearing package as required by s. 89 of the Act and the hearing proceeded with all parties in attendance.

Issues(s) to be Decided

1. Is the Tenant entitled to an Order to cancel the Notice to End Tenancy?
2. Is there a loss or damage to the Tenant and if so how much?
3. Is the Tenant entitled to compensation for the loss or damage and if so how much?
4. Has the Landlord complied with the Act, regulations and tenancy agreement?
5. Has the Landlord provided services and facilities stated in the tenancy agreement?
6. Is the Tenant entitled to a rent reduction?

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

1. the Tenant and the Landlord agreed to end the tenancy on November 30, 2018.
2. further the Tenant agreed not to cook in the kitchen past 10:00 pm and the Tenant agrees to avoid any conflict with the other tenants at the rental complex.
3. the Landlord will receive an Order of Possession with an effective vacancy date of November 30, 2018 at 1:00 pm.

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 Tenant 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 November 30, 2018 as per the above arrangement.

The Landlord has received an Order of Possession with an effective vacancy date of November 30, 2018 at 1:00 p.m.

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: October 15, 2018

Residential Tenancy Branch