



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MT

Introduction

This hearing was scheduled to deal with a tenant's application to cancel a 10 Day Notice to End Tenancy for Unpaid Rent and more time to make the application. Both parties appeared or were represented at the hearing and had the opportunity to be make relevant submissions and to respond to the submissions of the other party pursuant to the Rules of Procedure.

Neither party provided a copy of the 10 Day Notice to End Tenancy; however, the tenants read its content into evidence and the landlord confirmed their description was accurate. The 10 Day Notice indicates rent of \$1,000.00 was outstanding as of February 1, 2019; was signed by the landlord on February 2, 2019 and has a stated effective date of February 13, 2019. The tenants Application was completed on February 13, 2019 when their fee waiver documents were received.

The tenants stated they also received a 1 Month Notice to End Tenancy for Cause on February 27, 2019 with a stated effective date of April 2, 2019. The tenants did not file to dispute the 1 Month Notice and stated that they will be vacating the rental unit.

The parties turned their minds to resolving their dispute(s) by way of a mutual agreement. The parties were able to reach a mutual agreement and I have recorded it by way of this decision

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

The parties mutually agreed upon the following terms in resolution of this matter during the hearing:

1. The tenants shall return vacant possession of the rental unit to the landlord, or landlord's agent, on March 25, 2019.

2. The landlord shall be provided an Order of Possession with an effective date of March 25, 2019 to serve and enforce upon the tenants.
3. The landlord shall be provided a Monetary Order with this decision for the amount of \$2,000.00 that represents the unpaid and/or loss of rent for the months of February 2019 and March 2019 to serve and enforce upon the tenants.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and I make the term(s) an Order to be binding upon both parties.

In recognition of the mutual agreement, I provide the landlord with an Order of Possession effective on March 25, 2019 and I provide the landlord with a Monetary Order in the amount of \$2,000.00.

Conclusion

The parties reached a mutual agreement during the hearing that I have recorded by way of this decision and the orders that accompany it. In keeping with the mutual agreement, the landlord is provided an Order of Possession with an effective date of March 25, 2019 and a Monetary Order in the amount of \$2,000.00.

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: March 15, 2019

Residential Tenancy Branch