



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes CNC, FF

Introduction

This hearing dealt with the tenant's application to cancel a 1 Month Notice to End Tenancy for Cause and to recover the filing fee paid for this application. Both parties appeared at the hearing and were provided the opportunity to be heard and to respond to the other party's submissions.

Issues(s) to be Decided

1. Mutual agreement between parties.
2. Award of filing fee.

Background and Evidence

The tenancy commenced March 1, 2009. The tenant pays monthly rent of \$1,395.00 and a security deposit of \$697.50 is held by the landlord. On July 27, 2009 the tenant received a 1 Month Notice to End Tenancy for Cause.

After much discussion, the parties were able to reach a mutual agreement to end tenancy on October 31, 2009 and the tenant will vacate the rental unit on or before October 31, 2009. In addition, the parties agreed that the landlord would reduce the tenant's October 2009 rent by \$1,000.00 so that only \$395.00 is payable by the tenant on October 1, 2009.

Analysis

I accept the mutual resolution reached between the parties, as outlined above, and make it an Order to be binding upon each party. I make no findings as to the reasons for ending the tenancy.

In recognition of the mutual agreement, the tenant is hereby authorized to deduct \$1,000.00 from the rent owing for October 2009. Enclosed for the landlord is an Order of Possession effective October 31, 2009. I make no award for the filing fee.



Dispute Resolution Services

Page: 2

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Conclusion

By mutual agreement between parties, the tenancy shall end and the tenant will vacate the rental unit October 31, 2009. In addition, the tenant is authorized to deduct \$1,000.00 from the rent owing for October 2009 in recognition of this mutual agreement.

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 22, 2009.

Dispute Resolution Officer