



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MNDC, OLC, MNSD, FF

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 June 22, 2016
- b. An order disputing an additional rent increase
- c. 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. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

I find that the one month Notice to End Tenancy was served on the Tenant by courier on June 22, 2016. Further I find that the Application for Dispute Resolution/Notice of Hearing was personally served on landlord on July 1, 2016. With respect to each of the applicant's claims I find as follows:

Issue(s) to be Decided

The issues to be decided are as follows:

- a. Whether the tenant is entitled to an order cancelling the one may Notice to End Tenancy dated June 22, 2016?
- b. Whether the Tenant is entitled to an order disputing an additional rent increase.
- c. Whether the tenant is entitled to recover the cost of the filing fee?

Background and Evidence

The parties entered into a one year fixed term written tenancy agreement that provide that the tenancy would start on June 15, 2015 and end on June 15, 2016. The tenancy

is unclear as to whether it was to continue on a month to month basis or whether the tenancy was to end on that date. The tenancy agreement provided that the tenant(s) would pay rent of \$900 per month payable in advance on the fifteenth day of each month. The tenant(s) paid a security deposit of \$950 on June 1, 2015.

Settlement:

At the 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 October 15, 2016.
- b. The parties request that the arbitrator issue an Order for Possession for October 15, 2016.

Order for Possession:

As a result of the settlement I issued an Order for Possession effective October 15, 2016. All other claims in the Application for Dispute Resolution are dismissed as they were not part of the settlement.

The tenant must be served with this Order as soon as possible. Should the tenant fail to comply with this Order, the landlord may register the Order with the Supreme Court of British Columbia for enforcement.

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 11, 2016

Residential Tenancy Branch