



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, MNR, MNDC, RP, RR, FF

Introduction:

The tenant has applied for an Order to cancel a Notice to End the Tenancy dated April 14, 2017 for non-payment of Rent, and an application an Order to reduce her rent, compel the landlord to make repairs, for compensation for the failure of the landlord to make repairs and for the loss of quiet enjoyment and loss of income and expenses arising from the flooding of her unit.

Preliminary Matters:

I excluded all of the late evidence the tenant submitted that was received by the branch on April 28, 2107 as contrary to Rule 3 of the Rules of procedure and because the landlord was prejudiced.

Facts:

A hearing was conducted in the presence of both parties. A tenancy began on July 1, 2013 with rent in the amount of \$ 1,200.00 due in advance on the first day of each month. The tenant paid a security deposit amounting to \$ 600.00 on or about July 1, 2013.

Settlement:

The parties settled this matter and I have recorded the agreement pursuant to section 63(2) as follows:

- a. The parties have agreed to end the tenancy effective May 31, 2017 at 1:00 PM, and
- b. The landlord agrees that the tenant will not be responsible to pay any rent or arrears for the balance of the tenancy as full consideration for the tenant abandoning all claims in this application and as consideration for this settlement.

Conclusion:

As a result of the settlement I have granted the landlord an Order for Possession effective May 31, 2017 at 1:00 PM. This order may be enforced in the Supreme Court of B.C. The tenant must be served with this Order and decision as soon as possible. There shall be no order as to reimbursement of the filing fee herein as it was not part of the settlement. I have dismissed all of the tenant's claims herein. The parties are cautioned to deal with the security deposit pursuant to section 38 of the Act.

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: May 09, 2017

Residential Tenancy Branch