



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards
Ministry of Housing and Social Development

DECISION AND REASONS

Dispute Codes:

CNC, MT

Introduction

This hearing dealt with an application by the tenant, pursuant to the *Residential Tenancy Act*, for an order to allow the tenant more time to dispute the notice to end tenancy pursuant to Section 66 and an order to cancel the notice to end tenancy pursuant to Section 47.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions. On the basis of the solemnly affirmed evidence presented at the hearing, a decision has been reached.

Issues to be decided

Was the tenant served with a valid notice to end tenancy? Is the tenant entitled to more time to dispute the notice to end tenancy?

Background and Evidence

Based on the sworn testimony of both parties, the evidence is as follows:

The tenant was served with a notice to end tenancy for cause in the approved two page format, on November 30, 2008 in person. The tenant applied for dispute resolution on December 23, 2008. The tenant stated that the reason for the delay was ignorance on the part of the tenant regarding how to go about disputing the notice. The tenant has applied for more time to apply to cancel the notice.

Analysis

Pursuant to section 63 of the *Act*, during the hearing the parties exchanged proposals and achieved a resolution of the dispute. Specifically, the parties agreed as follows that:

- An order of possession will be issued in favor of the landlord effective on or before 1:00 pm, Saturday, February 28, 2009.

The parties agree that the above particulars comprise full and final settlement of all aspects of the dispute for both parties.

Conclusion

I hereby issue an order of possession in favor of the landlord effective on or before **1:00 pm, Saturday, February 28, 2009**. This order must be served on the tenant. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Dated January 27, 2009.

Dispute Resolution Officer