

Decision

Dispute Codes: CNC

Introduction

This hearing dealt with an application by the tenants for cancellation of a notice to end tenancy for cause. Both parties participated in the hearing and gave affirmed testimony.

Issue to be decided

- Whether the tenants are entitled to the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, the month-to-month tenancy began on June 1, 2003. Currently, rent in the amount of \$333.00 is payable in advance on the first day of each month.

The landlord issued a 1 month notice to end tenancy for cause dated May 28, 2010. The tenants disputed the notice by filing an application for dispute resolution on May 31, 2010. A copy of the notice was submitted into evidence. Reasons shown on the notice for its issuance are as follows:

Tenant or a person permitted on the property by the tenant has:

significantly interfered with or unreasonably disturbed another occupant or the landlord

Tenant has engaged in illegal activity that has, or is likely to:

adversely affect the quiet enjoyment, security, safety or physical well-being of another occupant or the landlord

During the hearing the parties exchanged views on some of the circumstances surrounding the dispute and undertook to achieve a resolution.

Analysis

The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

Section 56 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the tenants will continue with efforts to sell their manufactured home;
- that the tenants will vacate the manufactured home site by not later than 1:00 p.m., Friday, December 31, 2010, and that an order of possession will be issued in favour of the landlord to that effect.

Conclusion

I hereby issue an **order of possession** in favour of the landlord effective not later than **1:00 p.m., Friday, December 31, 2010**. This order must be served on the tenants. Should the tenants 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.

DATE: July 19, 2010

Dispute Resolution Officer