



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## **DECISION**

**Dispute Codes:** CNC

### **Introduction**

This hearing dealt with an application by the tenant for an order to set aside a notice to end tenancy for cause. Both parties attended the hearing and had opportunity to be heard.

### **Issue to be Decided**

Does the landlord have grounds to end this tenancy?

### **Background and Evidence**

The tenancy began on January 01, 2006. On August 25, 2010, the landlord served the tenant with a one-month notice to end tenancy for cause. The reason for the notice to end tenancy is that the tenant has breached a material term of the tenancy agreement that was not corrected within a reasonable time after written notice to do so.

The tenant breached the tenancy agreement by keeping pets in excess of the allowed number and without the written permission of the landlord.

During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

### **Analysis**

Pursuant to Section 63 of the *Residential Tenancy Act*, the dispute resolution officer may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle their dispute. Both parties agreed to the following terms:

1. The landlord agreed to allow the tenancy to continue up to December 01, 2010.
2. The tenant agreed to move out on or before December 01, 2010.
3. The landlord agreed to return to the tenant the security deposit and pet deposit by October 22, 2010.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties.

During the hearing the landlord made a request under section 55 of the legislation for an order of possession. Under the provisions of section 55(1), upon the request of a landlord, I must issue an order of possession when I have upheld a notice to end tenancy. Accordingly, I so order. The tenant must be served with the order of possession. 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.

### **Conclusion**

The notice to end tenancy is upheld and the tenancy will end on or before 1:00 p.m. on December 01, 2010, as per the above terms.

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: October 15, 2010.

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Dispute Resolution Officer