

Decision

Dispute Codes: OPR / OPC, MT, CNC, CNR

Introduction

This hearing dealt with an application by the tenant for more time to make an application to cancel a notice(s) to end tenancy, as well as cancellation of a notice(s) to end tenancy. In the event the tenant does not succeed in her application, the landlord confirmed that he seeks to obtain an order of possession. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether either party is entitled to the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, a copy of which is not in evidence, the month-to-month tenancy began on February 1, 2010. Monthly rent is \$600.00, and is due and payable on the first day of each month.

Since the start of tenancy, 4 separate notices to end tenancy have been served on the tenant, as follows:

10 day notice to end tenancy for unpaid rent dated June 1, 2010;

10 day notice to end tenancy for unpaid rent dated October 6, 2010;

10 day notice to end tenancy for unpaid rent dated November 2, 2010; and a

1 month notice to end tenancy for cause dated November 13, 2010.

During the hearing the parties undertook to achieve a resolution of the dispute.

Analysis

Section 63 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 tenant will vacate the unit by not later than 1:00 p.m., Monday, January 31, 2011, and that an order of possession will be issued in favour of the landlord to that effect.

Conclusion

Pursuant to the agreement reached between the parties during the hearing, as above, I hereby issue an order of possession in favour of the landlord effective not later than **1:00 p.m., Monday, January 31, 2011**. 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.

DATE: December 8, 2010

Dispute Resolution Officer