



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNR, FF, O

Introduction

This hearing was convened by way of conference call to deal with the tenant's application for an order cancelling a notice to end tenancy for unpaid rent or utilities and to recover the filing fee for the cost of this application.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. the landlord will have an Order of Possession effective January 23, 2011 at 1:00 p.m. and the tenant will be required to vacate the rental unit at or before that date and time;
2. the tenant will remove all of the items in the yard prior to vacating the rental unit.

I grant the landlord an Order of Possession, effective January 23, 2011 at 1:00 p.m. The tenant must be served with the Order of Possession if the tenant does not move from the rental unit prior to 1:00 p.m. on January 23, 2011. If the landlord serves the Order of Possession on the tenant and the tenant fails 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.

Since the parties were able to settle this dispute and the tenant was not successful with the application to cancel the notice to end the tenancy, I decline to order that the tenant recover the \$50.00 filing fee from the landlord.

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: January 19, 2011.

Residential Tenancy Branch