

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with an application by the tenant seeking to have a 1 month Notice to End Tenancy for Cause set aside. Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross examine the other party, and make submissions to me.

Opportunity to Settle Dispute:

Section 63 of the *Act* allows for parties to reach a mutual agreement to settle their dispute, with or without the assistance of the Dispute Resolution Officer. Section 63 and the rules of procedure also provide that if a settlement is reached, the terms of the settlement can be documented in a decision by the Dispute Resolution Officer and any Order issued in enforcement of a settlement has the same force and effect as an Order issued without the agreement of the parties.

The landlord and the tenants reached a mutual agreement to resolve their dispute. The terms of the agreement are as follows:

- The parties agree to mutually end this tenancy effective **March 31, 2011** at **1:00 p.m.** and the landlord will be issued an Order of Possession for this date; and
- The parties agree that the tenant has paid the rent owed for February 2011 but there may be outstanding rental arrears. The tenant and the landlord agree to meet to review the tenant rent payment ledger and other payment of rent evidence to determine whether there is rent outstanding and how much rent is outstanding. The tenant confirmed that if he would pay any outstanding rent owed.

Conclusion

Pursuant to section 63 of the *Act* the parties have resolved their dispute by mutual agreement as set out in this decision.

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: February 03, 2011.

Residential Tenancy Branch