



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNC, AAT

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenant for an order cancelling the One Month Notice to End Tenancy for Cause issued by the Landlord and an order requiring the Landlord to allow access to the unit for the Tenant or his guests.

Both parties and witnesses appeared and at the outset of the hearing, the parties announced an interest in resolving their differences and agreed to explore a settlement.

Issue(s) to be Decided

Is the Tenant entitled to an order cancelling the Notice to End Tenancy and an order requiring the Landlord to allow access to the unit for the Tenant or his guests?

Settled Agreement

After discussion, the Landlord and the Tenant agreed that this tenancy will end on or before, and the Tenant will move out on or before, **March 31, 2011 at 5:00 p.m.**

The Tenant understands that the Landlord will be issued an order of possession, based upon the settled agreement, and that if the Tenant fails to move out on or before by **March 31, 2011 at 5:00 p.m.**, or if the Landlord receives a significant number of legitimate complaints concerning the Tenant's behaviour, the Landlord may serve the Order of Possession on the Tenant and obtain a writ of possession.

The Landlord agrees not to serve the Order of Possession unless the Tenant fails to move out by **March 31, 2011 at 5:00 p.m.** or unless the Landlord receives a significant number of legitimate complaints concerning the Tenant's behaviour.

The Tenant agrees to continue to pay rent as and when due under the tenancy agreement.

Conclusion

The Landlord and Tenant have reached a settled agreement that the tenancy will end on or before **March 31, 2011 at 5:00 p.m.**

Based upon the settled agreement, as provided in section 63 of the Act, I grant the Landlord an **Order of Possession** that is effective **two (2) days** after service of this Order upon the Tenant.

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 10, 2011.

Residential Tenancy Branch