



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNC

Introduction

This matter dealt with an application by the Tenant to cancel a One Month Notice to End Tenancy for Cause dated February 28, 2011.

Issue(s) to be Decided

1. Does the Landlord have grounds to end the tenancy?

Background and Evidence

This tenancy started on March 1, 2008. On February 28, 2011, the Landlord's agent served the Tenant with a One Month Notice to End Tenancy for Cause dated February 28, 2011 by posting it to the rental unit door. The ground alleged on the Notice was that "the Tenant or a person permitted on the property by the Tenant has significantly interfered with or unreasonably disturbed another occupant or the Landlord."

During the first day of hearing, the Landlord's witnesses gave evidence and the Tenant had an opportunity to cross-examine those witnesses. At the beginning of the second day of the hearing, prior to giving his rebuttal evidence, the Tenant claimed that he wished to end the tenancy and the Parties agreed to settle this dispute on the terms set out below.

Analysis

Section 63(2) of the Act says "if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or an order." The Parties agreed to settle this dispute on the following terms:

1. The Tenant agrees to withdraw his application in this matter; and
2. The Parties agree that the Landlord will receive an Order of Possession to take effect on May 31, 2011.

Conclusion

The Tenant's application is withdrawn. An Order of Possession to take effect on May 31, 2011 has been issued to the Landlord. A copy of the Order must be served on the Tenant and may be enforced in the Supreme Court of British Columbia.

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: April 11, 2011.

Residential Tenancy Branch