



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

SETTLED DECISION

Dispute Codes CNC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant for an order cancelling a 1 Month Notice to End Tenancy for Cause and to recover the filing fee.

The parties and representatives appeared, gave affirmed testimony and were provided an opportunity to submit oral and written evidence and to make submissions to me.

Issue(s) to be Decided

Has the tenant established an entitlement to an order cancelling the Notice to End Tenancy and to recover the filing fee?

Can the parties reach a mutual agreement to resolve this dispute?

Settled Agreement

After presentation of the landlord's agent's and landlord's testimony in support of the 1 Month Notice to End Tenancy for Cause and brief response from the tenant, the landlord, the landlord's agent and the tenant agreed that this tenancy will end by, and the tenant will move out on or before, **October 31, 2011, at 1:00 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 of the rental unit on or before **October 31, 2011, at 1:00 p.m.**, the landlord may serve the Order of Possession on the tenant on that date and time and obtain a writ of possession from the Supreme Court of British Columbia.

The tenant understands that due to the settlement of the issues, she will not be granted recovery of the filing fee.

Conclusion

The tenant and landlord have reached a settled agreement that the tenancy will end on or before **October 31, 2011, at 1:00 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 on **October 31, 2011, at 1:00 p.m.** In the event the tenant does not vacate the rental unit on or before that date, this final, legally binding order must be served upon the tenant, may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This settled 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: September 29, 2011.

Residential Tenancy Branch