



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC

Introduction

This Application for Dispute Resolution was to deal with an application by the tenant seeking to cancel the One-Month Notice to End Tenancy for Cause. Both parties appeared and gave testimony in turn.

During the proceedings a mediated discussion ensued between the parties. And they came to a mutually agreeable resolution the terms of which are as follows:

- The tenant will vacate the unit on or before January 1, 2012 at 1:00 p.m. and the landlord will be issued an enforceable Order of Possession effective on that date.
- In addition, if the tenant manages to find a suitable place to relocate prior to the January 1, 2012 deadline, the tenant is at liberty to end the tenancy earlier by giving the landlord written notice to end the tenancy. The tenant will only be responsible, on the date the tenant's notice is given, to pay only the proportion of the rent due pro-rated to the effective end date shown on the tenant's notice.
- The refund of the tenant's security deposit will be in compliance with the provisions contained in section 38 of the Act.

Conclusion

Based on the agreement reached by the parties during these proceedings, I grant the landlord an Order of Possession effective Sunday, January 1, 2012 at 1:00 p.m. This order must be served on the tenant and may be filed in the Supreme Court and enforced as an order of that Court.

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: October 31, 2011.

Residential Tenancy Branch