

## **Decision**

**Dispute Codes:** MT, CNC, OPT

### **Introduction**

This hearing was convened in response to the tenant's application for more time to make an application to cancel a notice to end tenancy / cancellation of a notice to end tenancy for cause / and an order of possession for the rental unit. Both parties participated in the hearing and gave affirmed testimony.

### **Issues to be decided**

- Whether the tenant is entitled to any or all of the above under the Act, Regulation or tenancy agreement

### **Background and Evidence**

Pursuant to a written tenancy agreement, a copy of which is not before me, the tenancy began on May 1, 2011. Monthly rent of \$610.00 is payable in advance on the first day of each month. A security deposit of \$305.00 and a pet damage deposit of \$305.00 were both collected near the start of tenancy.

The landlord issued a 1 month notice to end tenancy for cause dated October 31, 2011. The tenant filed an application to dispute the notice on November 10, 2011, which is within the 10 day period available for the tenant to do so. A copy of the notice was submitted into evidence.

Reasons giving rise to the landlord's issuance of the notice are related mainly to concerns identified by other residents about the tenant's dogs. The parties participated in a previous hearing related to similar concerns on June 30, 2011 (file # 773894).

During the hearing today the parties exchanged views on some of the circumstances surrounding the dispute, and very respectfully undertook to achieve a resolution.

### **Analysis**

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the tenant will vacate the unit by not later than 1:00 p.m., Tuesday, January 31, 2012, and that an order of possession will be issued in favour of the landlord to that effect.

### **Conclusion**

I hereby issue an **order of possession** in favour of the landlord effective not later than **1:00 p.m., Tuesday, January 31, 2012**. This order must be served on the tenant. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia 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*.

DATE: November 30, 2011

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Residential Tenancy Branch