



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with the tenant's application to cancel a Notice to End Tenancy for Cause. Both parties appeared at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

At the commencement of the hearing, the parties indicated that they wished to resolve this dispute by mutual agreement.

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

The parties agreed to the following terms to resolve this dispute:

1. As of today's date the tenant shall cease residing or living in the rental unit;
2. The tenant may access the rental unit for purposes of removing her possessions but only in the accompaniment of her brother-in-law; nephew; or other persons approved by the landlord;
3. The tenant shall ensure her possessions are removed from the rental unit and vacant possession and the keys are returned to the landlord no later than November 15, 2011;
4. The landlord withdraws the Notice to End Tenancy for Cause; and,
5. The landlord shall waive any entitlement to rent for the months of October or November 2011.

Analysis

I accept the mutual agreement reached between the parties and make the terms an Order to binding upon both parties. In recognition of the mutual agreement I provide the landlord with an Order of Possession effective November 15, 2011 to enforce if necessary.

Conclusion

The parties have resolved this dispute by way of a mutual agreement as recorded in this decision. The landlord has been provided an Order of Possession effective November 15, 2011.

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: November 01, 2011.

Residential Tenancy Branch