



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC and FF

Introduction

This hearing was convened on the tenant's application, received on March 21, 2012, to have set aside a Notice to End Tenancy for cause served on March 17, 2012, setting an end of tenancy date of April 30, 2012.

Issue(s) to be Decided

This matter requires a decision on whether the Notice to End Tenancy should be set aside or upheld.

Background and Evidence

The tenant first moved in to upper unit of the rental building on December 1, 1997, later occupying the whole rental building, and beginning the present tenancy in the basement suite in September of 2002.

As the commencement of the hearing, the landlords articulated the reasons for having issued the Notice to End Tenancy, supported by corroborating documentary and photographic evidence.

The tenant did not contest the landlords' evidence, but requested additional time to find new accommodation.

Settlement Agreement

In discussing that request, the parties arrived at the following settlement agreement:

1. The parties agree that the tenant will vacate the rental unit no later than May 31, 2012 and that the landlords will be issued with an Order of Possession in support of this agreement;
2. The tenant agrees to pay rent for the remainder of the tenancy and understands and accepts that payment of rent does not constitute reinstatement of the tenancy;
3. The tenant agrees to keep the passageway in the storage area reasonably clear to permit the upstairs tenants access to their portion of it;
4. The tenant agrees to act reasonably to maintain a civil relationship with the upstairs tenants.

Conclusion

The landlords' copy of this decision is accompanied by an Order of Possession, enforceable through the Supreme Court of British Columbia, to take effect at 1 p.m. on May 31, 2012.

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 12, 2012.

Residential Tenancy Branch