



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act"), seeking cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent.

The parties appeared and the hearing process was explained. Thereafter the parties gave affirmed testimony and were provided the opportunity to present their evidence orally and in documentary form, and to make submissions to me.

Issue(s) to be Decided

Is the tenant entitled to an order cancelling the Notice?

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

Settled Agreement

After testimony and discussion, the landlord and the tenant agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenant agrees that he will vacate the rental unit by June 28, 2012, at 1:00 p.m.;
2. The landlord agrees that the tenant may continue to reside in the rental unit until June 28, 2012, at 1:00 p.m.;
3. The tenant understands the landlord will be issued an order of possession, based upon the settled agreement, and that if the tenant fails to vacate the rental unit by June 28, 2012 at 1:00 p.m., the landlord may serve the order of possession on the tenant and obtain a writ of possession;
4. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenant's application.

Conclusion

The tenant and the landlord have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit should the tenant fail to vacate the rental unit by June 28, 2012, at 1:00 p.m.

The order of possession is enclosed with the landlord's decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia should the tenant fail to comply with this order of possession.

This settled agreement 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: June 21, 2012.

Residential Tenancy Branch