



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 for dispute resolution under the Residential Tenancy Act (the "Act"), seeking an order cancelling a 1 Month Notice to End Tenancy for Cause (the "Notice").

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 to End Tenancy?

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 landlord agrees that the tenant may continue to reside in the rental unit until July 31, at 1:00 p.m.;
2. 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 July 31, 2012 at 1:00 p.m., the landlord may serve the order of possession on the tenant and obtain a writ of possession;
3. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenant's application; and
4. The parties understand that no finding is made on the merits of the tenant's application or the landlord's Notice to End Tenancy.

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 July 31, 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 28, 2012.

Residential Tenancy Branch