

DECISION

Dispute Codes

For the tenant: MT CNC

For the landlord: OPC FF

Introduction

This hearing was convened as a result of the cross applications of the parties for dispute resolution under the *Residential Tenancy Act* (the “Act”).

The tenant applied for more time to make an application to dispute a notice to end tenancy, and to cancel a notice to end tenancy for cause.

The landlord applied for an order of possession for cause and to recover the filing fee.

A tenant and an agent for landlord (the “agent”) attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The tenant confirmed receiving the evidence package from the landlord and had the opportunity to review it prior to the hearing. I find the tenant was served in accordance with the *Act*. The tenant confirmed that he did not serve the landlord with any evidence.

Settlement Agreement

During the hearing, the parties agreed to settle their matters, on the following conditions:

1. The tenancy will end on **February 28, 2013 at 1:00 p.m.** and the landlord will receive an order of possession effective February 28, 2013 at 1:00 p.m.
2. The landlord agrees to waive his right towards the recovery of the filing fee.
3. The parties agree to withdraw their applications in full as part of this settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I grant the landlord an order of possession effective February 28, 2013 at 1:00 p.m. The tenant must be served with the order of possession. This order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: January 21, 2013