

## **DECISION**

Dispute Codes      CNC

### **Introduction**

This hearing was convened as a result of the tenant's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenant applied to cancel a 1 Month Notice to End Tenancy for Cause.

The tenant, the tenant's father, and the landlord 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 that he did not serve any evidence in support of his application. The tenant confirmed that he received the evidence of the landlord prior to the hearing and had the opportunity to review the evidence prior to the hearing.

### **Settlement Agreement**

During the hearing, the parties agreed to settle the matter of the 1 Month Notice to End Tenancy for Cause, on the following conditions:

1. The parties agree that the tenancy will end on **February 28, 2013 at 1:00 p.m.**
2. The landlord is granted an order of possession effective February 28, 2013 at 1:00 p.m.
3. The tenant agrees to not damage the rental unit further as part of this settled agreement.
4. Both parties agree to meet at the rental unit on March 4, 2013 at 4:30 p.m. for the purposes of completing a move-out condition inspection report.

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. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I order the parties to comply with the above-mentioned terms of their settled agreement.

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 31, 2013

# Now that you have your decision...

**All decisions are binding and both landlord and tenant are required to comply.**

The RTB website ([www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)) has information about:

- How and when to enforce an order of possession:  
Fact Sheet RTB-103: *Landlord: Enforcing an Order of Possession*
- How and when to enforce a monetary order:  
Fact Sheet RTB-108: *Enforcing a Monetary Order*
- How and when to have a decision or order corrected:  
Fact Sheet RTB-111: *Correction of a Decision or Order*
- How and when to have a decision or order clarified:  
Fact Sheet RTB-141: *Clarification of a Decision or Order*
- How and when to apply for the review of a decision:  
Fact Sheet RTB-100: *Review Consideration of a Decision or Order*  
**(Please Note: Legislated deadlines apply)**

To personally speak with Residential Tenancy Branch (RTB) staff or listen to our 24 Hour Recorded Information Line, please call:

- Toll-free: 1-800-665-8779
- Lower Mainland: 604-660-1020
- Victoria: 250-387-1602

Contact any Service BC Centre or visit the RTB office nearest you. For current information on locations and office hours, visit the RTB web site at [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca)