



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      MT and CNC

### Introduction

This hearing was convened on the tenant's application of December 10, 2012 seeking more time to make this application and to have set aside a Notice to End Tenancy for cause served in person on November 28, 2012 and setting an end of tenancy date of December 31, 2012.

### Issue(s) to be Decided

Has the tenant provide sufficient evidence of exceptional circumstances to warrant an extension of time to bring this application? If so, should the Notice to End tenancy be set aside or upheld?

### Background and Evidence

This tenancy began on September 15, 2012. Rent is \$1,200 per month and the landlords hold a security deposit of \$600.

Section 63 of the *Act* provides that the director's delegate may offer the parties the opportunity to settle their dispute and to record such settlement in the form of a decision or order.

In the present matter, the parties agreed to settle this dispute by arriving at a mutual agreement to end this tenancy on February 28, 2013.

The parties further agreed that the landlords will be provided with an Order of Possession to perfect their agreement and understand that the order is fully enforceable as if issued as part of an arbitrary decision.

Conclusion

The landlord's 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 February 28, 2013.

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: January 15, 2013

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Residential Tenancy Branch

