



Dispute Resolution Services

Page: 1

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 seeking to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by the tenant and the landlord's agent. The first hearing was adjourned for the landlord to provide a copy of a proposed settlement agreement. The second hearing was reconvened to address issues in the proposed agreement and for an update on the circumstances.

At the outset of the hearing the landlord identified that he was waiting to hear from the Fire Inspector to determine when the inspector will return to do a follow up inspection. The parties agreed on a settlement with the exception of dates. The parties agreed to have the landlord provide, in writing, the relevant dates to complete the settlement below no later than February 8, 2012.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to cancel a 1 Month Notice to End Tenancy for Cause, pursuant to Section 47 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The parties came to the following settlement:

1. The tenant withdraws his Application for Dispute Resolution;
2. The tenant agrees to be compliant with the Fire Inspector's order dated November 28, 2013 to the satisfaction of the landlord and the Fire Inspector no later than March 6, 2013 at 1:30 p.m.;
3. Should the tenant fail to comply with term 2 above the tenant will vacate the rental unit no later than March 31, 2013.

Conclusion

In support of the above settlement and with agreement of both parties I grant the landlord an order of possession effective **March 31, 2013 after service on the tenant**. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

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: February 6, 2013

Residential Tenancy Branch