



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

SETTLED AGREEMENT

Dispute Codes CNC

Introduction

This hearing was convened as the result of 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 each representative submitted some of their respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences.

Issue(s) to be Decided

Will the tenant agree to vacate the rental unit?

Can the parties reach a mutual agreement to resolve this dispute?

Settled Agreement

The tenant and the landlord agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenant agrees to continue to make diligent efforts to find suitable, alternate accommodations, given the constraints of her income level;
2. The tenant agrees to vacate the rental unit as soon as the suitable, alternate accommodations become available;
3. The tenant agrees to give reasonable notice of her intent to vacate the rental unit as soon as she has secured suitable, alternate accommodations,

- recognising the requirements under section 45 of the Act in giving notice to end a tenancy;
4. The landlord agrees to work with the tenant in accepting reasonable notice, given the requirements of section 45 of the Act regarding a fixed term tenancy;
 5. The parties agree that the 1 Month Notice to End Tenancy for Cause issued by the landlord on January 23, 2013, is cancelled; and
 6. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenant's application and that no finding is made on the merits of the said application for dispute resolution or the Notice.

Conclusion

The tenant and the landlord have reached a settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

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* and is being mailed to both the applicant and the respondent.

Dated: February 27, 2013

Residential Tenancy Branch

