



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC

Introduction

The tenant applied to cancel a 1 Month Notice to End Tenancy for Cause issued on April 14, 2013.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained, evidence was reviewed and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present affirmed oral testimony evidence and to make submissions to me. I have considered all of the evidence and testimony provided.

Mutually Settled Agreement:

The parties mutually agreed to the following:

- The tenant will vacate the unit no later than August 31, 2013 at 1 p.m.;
- The landlord is entitled to an Order of possession effective at 1 pm. on August 30, 2013;
- That the tenant may give written notice to end her tenancy on an earlier date; and; that if the tenant finds a new rental unit prior to August 31, 2013 the landlord will consider a mutual agreement to end the tenancy on short notice.

Therefore, pursuant to section 63(2) of the Act, I find that the tenancy will end no later than August 31, 2013 at 1 p.m. and, based on the mutual agreement, that the landlord is entitled to an Order of possession for that date and time.

The mutual agreement was fully discussed and the tenant understood that she must vacate by the agreed-upon date and that she has the option of ending the tenancy earlier, if that works best for the tenant.

The landlord has been granted an Order of possession that is effective **at 1 p.m. on August 31, 2013**. This Order may be served on the tenant, filed with the Supreme Court of British Columbia and enforced as an Order of that Court.

Conclusion

The parties reached a mutual agreement to end the tenancy no later than August 31, 2013 at 1 p.m.

Based on the mutual agreement the landlord is entitled to an Order of possession.

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: May 27, 2013

Residential Tenancy Branch

