



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, CNC, FF

Introduction

This hearing was convened in response to an application by the Landlord and an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

The Landlord applied on August 15, 2013 for:

1. An Order of Possession - Section 55.

The Tenant applied on September 9, 2013 for:

1. An Order cancelling a Notice to End Tenancy – Section 46; and
2. An Order to recover the filing fee for this application - Section 72.

The Tenant and Landlord were each given full opportunity to be heard, to present evidence and to make submissions. At the onset of the Hearing the Parties indicated their desire to settle the dispute and during the Hearing did settle the dispute.

Settlement Agreement

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act and the agreement reached between the Parties during the proceedings, I find that the Parties have settled their dispute over the and the following records this settlement as a decision:

The Parties mutually agree as follows:

- 1. The Tenant will not operate any business on the rental property;**
- 2. The Tenant will have no more than four (4) vehicles exposed in the yard of the rental property;**
- 3. The Tenant will remove all automobile parts, other than up to four (4) tires, from the yard no later than October 15, 2013;**
- 4. The Tenant will pay the rent as required under the tenancy agreement;**
- 5. The tenancy will continue; and**
- 6. These terms comprise the full and final settlement of all aspects of this dispute for both parties.**

Conclusion

The dispute is resolved as set out above and the tenancy continues.

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: September 25, 2013

Residential Tenancy Branch

