



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Hollywell Properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

CNC and FF

Introduction

This hearing was scheduled in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause and to recover the filing fee from the Landlord for the cost of this Application for Dispute Resolution.

Both parties were represented at the hearing.

Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Background and Evidence

After considerable discussion the Landlord and the Tenant mutually agreed to resolve this dispute under the following terms:

- This tenancy will end on April 01, 2014, unless the parties enter into an agreement to extend the tenancy past this date
- The Landlord will be granted an Order of Possession that is effective on April 01, 2014
- The Landlord will not enforce this Order of Possession if the parties enter into an agreement to extend the tenancy past April 01, 2014
- The Tenant will clean the garbage from the border of the property and ensure the area remains clear of garbage
- The Tenant will keep the yard clear of debris to facilitate lawn mowing
- The parties understand that this agreement does not prevent the Landlord from serving the Tenant with a Notice to End Tenancy in the future if the Landlord believes there are new grounds to end the tenancy, including a continuation of the noise disturbances that have occurred prior to this date.

Analysis

The parties have reached a settlement agreement.

Conclusion

On the basis of the aforementioned settlement agreement, I grant the Landlord an Order of Possession, that is effective on April 01, 2014.

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: October 18, 2013

Residential Tenancy Branch

