



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing was convened as a result of the tenant's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenant applied to cancel a 1 Month Notice to End Tenancy for Cause.

The tenant, an advocate for the tenant, the respondent landlord and a colleague of the respondent landlord attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

Both parties confirmed that they received evidence from the other party prior to the hearing and that they had the opportunity to review that evidence prior to the hearing. I find the parties were sufficiently served with evidence under the *Act*, with the exception of the DVD from the tenant which was excluded from the proceeding as the DVD files could not be opened and was not submitted in accordance with the rules of procedure.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on **January 31, 2014 at 1:00 p.m.**
2. The landlord is granted an order of possession effective **January 31, 2014 at 1:00 p.m.** The landlord must serve the tenant with the order of possession.
3. The tenant withdraws his application in full as part of this settlement agreement.

4. The parties agree that all communications between the landlord and the tenant for the remainder of the tenancy will be through third party Kathy G. at the front desk, with the exception of service of the order of possession, move-out condition inspection, and emergency situations.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

I order the parties to comply with the terms of their settlement agreement described above.

The landlord has been granted an order of possession effective January 31, 2014 at 1:00 p.m. This order must be served on the tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: December 13, 2013

Residential Tenancy Branch

