



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding PEMBERTON HOLMES LTD.  
and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes      CNC LAT FF

### Introduction

This hearing was convened as a result of the tenants' application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenants applied to cancel a notice to end tenancy for cause, for authority for the tenants to change the locks to the rental unit, and to recover the filing fee.

The tenants and an agent for the landlord (the "agent") attended the hearing. The hearing process was explained to the parties, both 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.

The tenants confirmed that they received the landlord's evidence and had the opportunity to review the landlord's evidence prior to the hearing. The tenants' evidence was excluded from the hearing, as the tenants' evidence was not submitted in accordance with the rules of procedure.

### Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The parties agree that the tenancy will end on **February 28, 2014 at 1:00 p.m.**
2. The landlord is granted an order of possession effective **February 28, 2014 at 1:00 p.m.** The landlord must serve the tenants with the order of possession.
3. The parties agree in advance to two inspections of the rental unit. The first inspection will be on **Tuesday, February 4, 2014 at 11:00 a.m.** The second inspection will be on **Tuesday, February 25, 2014 at 11:00 a.m.**

4. The tenants agree to have the rental unit carpets and drapes cleaned on or before February 28, 2014 by 1:00 p.m.
5. The tenants agree to withdraw their application and to waive their filing fee in full as part of this mutually settled agreement.
6. The landlord agrees to withdraw the 1 Month Notice dated November 25, 2013 as part of this mutually settled agreement.

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 February 28, 2014 at 1:00 p.m. This order must be served on the tenants. This order 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: January 17, 2014

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Residential Tenancy Branch

