



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC HOUSING MANAGEMENT COMMISSION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNQ

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 2 Month Notice to End the Tenancy for Landlord's Use of Property (the "2 Month Notice").

The tenant, a support for the tenant, and an agent for the landlord (the "agent") 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.

The agent confirmed that she received the tenant's documentary evidence prior to the hearing and that she had the opportunity to review the tenant's evidence. The agent confirmed the landlord did not submit documentary evidence in response to the tenant's application.

Settlement Agreement

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

1. The tenant agrees to e-mail the landlord's agent "BR", a copy of the tenant's Income Assistance-PWD application, registered mail receipt and confirmation of application by **Wednesday, July 30, 2014 by 4:00 p.m.** The landlord agent's e-mail address was confirmed by the parties during the hearing.
2. The parties agree that the landlord is granted an order of possession effective **August 31, 2014 at 1:00 p.m.**
3. The landlord agrees not to enforce the order of possession described in #2 above as long as the tenant has complied with #1 above and a decision

regarding approval of the tenant's application has not been made or the tenant's application is approved.

4. Further to #3 above, if the tenant's application for Income Assistance (PWD) is denied, the order of possession remains in full force and effect, and may be enforced by the landlord.
5. The landlord agent "BR" agrees to respond to the tenant's e-mail described in #1 above if the tenant provides the required information described in #1 above.
6. The tenant withdraws her application in full as part of this mutually settled agreement.

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

Conclusion

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

The landlord has been granted an order of possession effective August 31, 2014 at 1:00 p.m. and has agreed not to enforce the order of possession pursuant to conditions #3 and #4 above. Should the landlord require enforcement of the order of possession further to #3 and #4 listed above, the order of possession 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: July 29, 2014

Residential Tenancy Branch

