



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BROWN BROS. AGENCIES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with an Application for Dispute Resolution filed on July 04, 2014, by the Tenants to cancel a 1 Month Notice to end tenancy issued for cause.

The parties appeared at the scheduled teleconference hearing and gave affirmed testimony. The Landlords testified that they served the Tenants with copies of their evidence by registered mail on July 14, 2014. Canada Post tracking information was provided in the Landlords' testimony. Based on the on the submissions of the Landlord I find the Tenant was deemed served with copies of their evidence on July 19, 2014, pursuant to section 90 of the Act.

During the hearing each party was given the opportunity to provide their evidence orally and respond to each other's testimony. A summary of the testimony is provided below and includes only that which is relevant to the matters before me.

Issue(s) to be Decided

Have the parties agreed to settle these matters?

Background and Evidence

It was undisputed that the parties executed a written tenancy agreement for a fixed term tenancy that commenced on April 10, 2014, and was scheduled to end on April 30, 2014. The Tenants were required to pay rent of \$725.00 on the first of each month and on April 10, 2014 the Tenants paid \$362.50 as the security deposit.

During the course of this proceeding the parties agreed to settle these matters.

Analysis

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute on the following terms:

- 1) The Tenant withdrew her application for Dispute Resolution;
- 2) The parties mutually agreed to end this tenancy effective August 31, 2014 at 1:00 p.m.

In support of the above mentioned settlement agreement the Landlord will be issued an Order of Possession effective August 31, 2014.

Conclusion

The Landlord has been issued an Order of Possession effective **August 31, 2014 at 1:00 p.m. after service upon the Tenant.** In the event that the Tenant does not comply with this Order it may be filed with the Province of British Columbia Supreme Court and enforced as an Order of that Court.

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: August 14, 2014

Residential Tenancy Branch

