



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Ladysmith & District Credit Union
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL

Introduction

This hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenant applied for an order cancelling the landlord's 2 Month Notice to End Tenancy for Landlord's Use of the Property (the "Notice").

The parties appeared and the hearing proceeded. Thereafter a mediated discussion ensued and the parties agreed to resolve their differences and that their settlement should be recorded, as follows:

Settled Agreement

1. The tenant agrees to vacate the rental unit by 1:00 p.m. on September 30, 2014;
2. The landlord agrees that the tenancy will continue until September 30, 2014, at 1:00 p.m.;
3. The tenant understands the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenant fails to vacate the rental unit by 1:00 p.m., September 30, 2014, the landlord may serve the order of possession on the tenant and obtain a writ of possession;
4. The landlord agrees to not serve the order of possession on the tenant unless the tenant fails to vacate the rental unit 1:00 p.m. on September 30, 2014;
5. The landlord agrees that the tenant may vacate the rental unit early, and that if the tenant vacates the rental unit by August 31, 2014, the landlord agrees to pay for movers to move the tenant's personal property and effects;
6. The tenant understands that if the tenancy continues beyond August 31, 2014, the landlord does not agree to pay for the tenant's moving costs; and
7. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenant's application and that no finding is made on the merits of the said application for dispute resolution or the landlord's Notice.

Conclusion

The tenant and the landlord have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit in the event the tenant fails to vacate the rental unit by September 30, 2014, at 1:00 p.m.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act* and is a full and final settlement of the issues contained in the tenant's application. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

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* and is being mailed to both the applicant and the respondent.

Dated: August 8, 2014

Residential Tenancy Branch

