



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ARNO HOTEL
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, CNC

Introduction

This hearing was convened in relation to the tenant's application to cancel a 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) and the landlord's application for an order of possession.

At the hearing the tenant's advocate indicated that the tenant desired to settle the dispute on the basis that the tenant would vacate the unit on 31 December 2014. I asked the landlord for his position on this settlement offer and clarified that, if he accepted the tenant's offer, I would issue an order of possession in his favour for 1:00 p.m. on 31 December 2014. The landlord agreed to this settlement.

Analysis

Pursuant to section 63 of the *Residential Tenancy Act* (the Act), an 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.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord withdrew the existing 1 Month Notice.
2. Both parties agreed that this tenancy would end on or before 1:00 p.m. on 31 December 2014, by which time the tenant will have vacate the rental unit.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties.

Conclusion

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue the attached order of possession to be used by the landlord if the tenant does not vacate the rental premises in accordance with their agreement. The landlord is provided with these orders in the above terms and the tenant must be served with this order in the event that the tenant does not vacate the premises by the time and date set out in their agreement. Should the tenant fail to comply with this order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: October 31, 2014

Residential Tenancy Branch

