



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Castera Properties
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

CNC; FF

Introduction

This teleconference was scheduled to hear the Tenant's Application for Dispute Resolution seeking to cancel a One Month Notice to End Tenancy for Cause and to recover the cost of the filing fee from the Landlord.

The matter was convened on October 29, 2014. At the beginning of the teleconference, the Tenant's agent applied for an adjournment. He stated that the Tenant was out of the country for work and that his employment contract had been extended. The Tenant's agent testified that the Tenant was currently in transit and was returning to Canada on October 30, 2014.

I accepted the Tenant's agent's testimony that the delay was through no fault of the Tenant's. I was able to arrange a Hearing date for November 3, 2014, and therefore I found that there was very little prejudice to the Landlord to adjourn.

The parties were given the sign-in information for the reconvened Hearing.

The Hearing was reconvened at 9:30 a.m., November 3, 2014, with the Tenant present.

Settlement

During the course of the Hearing, the parties came to a mutual agreement with respect to the end of the tenancy. I hereby record the terms of their settlement agreement, pursuant to the provisions of Section 63 of the Act:

1. The parties reached a mutual agreement that the tenancy will end at 1:00 p.m. on December 31, 2014.

The Tenant agreed that for the remainder of the tenancy, he would allow no night time guests or visitors in the rental unit after 10:00 p.m.

Conclusion

In support of this settlement agreement, I grant the Landlord an Order of Possession effective **1:00 p.m., December 31, 2014**, which may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

I make no Order with respect to recovery of the filing fee.

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: November 07, 2014

Residential Tenancy Branch

