



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, ERP

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 1 Month Notice to End Tenancy for Cause (the "Notice") and an order requiring the landlord to make emergency repairs to the rental unit.

The parties appeared and each submitted respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences.

Settled Agreement

The tenant and the landlord agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenant agrees to vacate the rental unit by 1:00 p.m. on March 31, 2015;
2. The landlord agrees that the tenancy will continue until 1:00 p.m. on March 31, 2015;
3. The tenant agrees that the monthly rent of \$1000 will be paid on time for the months of February and March 2015;
4. 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., March 31, 2015, or fails to pay the monthly rent on time, the landlord may serve the order of possession on the tenant for enforcement purposes;
5. 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 March 31, 2015 or pay the monthly rent on time for February and March 2015; and
6. 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 of 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.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and, after service upon the tenant, 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*. 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*.

Dated: January 22, 2015

Residential Tenancy Branch

