



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BC HOUSING MANAGEMENT COMMISSION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

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

The tenant and the landlord attended the hearing. The landlord was represented by its two agents who are both employees of the landlord.

The agent appeared and did not raise any issues with service. On this basis, I am satisfied that the landlord was served with notice of this application pursuant to section 89 of the *Residential Tenancy Act* (the Act).

In the course of the hearing the tenant asked that she be permitted to continue her tenancy. The tenant indicated that she was at a treatment facility and working to recover from substance issues that she believes led to the problems with the tenancy. The landlord and tenant agreed to continue the tenancy on a trial basis.

Analysis

Pursuant to section 63 of 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 tenant agreed to withdraw her application.
2. The landlord agreed to withdraw the 1 Month Notice.

3. The tenant agreed to meet the landlord's conduct expectations.
4. If the tenant was unable meet the landlord's conduct expectations, the tenant agreed to provide vacant possession of the rental unit to the landlord on or before one o'clock in the afternoon on 31 May 2015.
5. The landlord agreed that it would provide fair warning to the tenant of the landlord's intent to use the order of possession.

The tenant and agent stated that they understood the terms of this agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

Conclusion

The tenant's application is withdrawn. The landlord's 1 Month Notice is cancelled.

The attached order of possession is 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 this order in the above terms and the landlord should serve the tenant with this order so that it may enforce it 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: March 11, 2015

Residential Tenancy Branch

