



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Marysville Lions Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

OPC
MT, CNC, RPP

Introduction

This hearing was convened by way of conference call concerning applications made by the landlord and by the tenant. The landlord has applied for an Order of Possession for cause; the tenant has applied for more time to dispute a notice to end tenancy, for an order cancelling a notice to end tenancy for cause, and for an order that the landlords return the tenant's personal property.

An agent for the landlord and the tenant attended the call and were accompanied by a witness for the landlord, a witness for the tenant, and a support worker to assist the tenant.

During the call, the parties agreed that the style of cause should be amended to remove the named landlord, and the style of cause in this Decision has been amended accordingly. Further, the address of the rental unit as shown on the landlord's application differs from that of the tenant's application, and the parties agreed to the correct address, which is contained in this Decision.

Also, during the course of the conference call, the parties agreed to settle the primary dispute on the following conditions:

1. The tenancy will end on May 31, 2015 at 1:00 p.m. and the landlord will have an Order of Possession effective that date and time without the necessity of making a further application;
2. The landlord will not serve the Order of Possession unless the tenant fails to move out of the rental unit by May 31, 2015;
3. If the tenant obtains new accommodation prior to May 31, 2015, the tenant will be permitted to move sooner without penalty and rent will be payable to the date of vacancy.

Since the parties have agreed to those terms, I hereby make that order.

With respect to the tenant's application for an order that the landlord return the tenant's personal property, I find that matter is not related to the primary matters which relate to the notice to end the tenancy given by the landlord. I hereby dismiss the tenant's application for an order that the landlord return the tenant's personal property with leave to reapply.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlord effective May 31, 2015 at 1:00 p.m. and the tenancy will end at that time.

The tenant's application for an order that the landlord return the tenant's personal property is hereby dismissed with leave to reapply.

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: March 25, 2015

Residential Tenancy Branch

