



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR, CNC, FF

### 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, for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities, and for recovery of the filing fee paid for this application.

The tenant and the landlord attended the hearing, the tenant confirmed having substantially vacated the rental unit, with the exception of some items of personal property and a mediated discussion followed, with the parties agreeing to resolve these matters. The parties also agreed that I would record their settlement.

### Settled Agreement

The tenant and the landlord agreed to a mutual settlement under the following terms and conditions:

1. The tenant agrees that he will attempt to have his personal property removed from the rental unit as soon as possible;
2. Failing having his personal property removed earlier, the tenant agrees that he will have the remainder of his personal property in the rental unit removed by 1:00 p.m. on June 24, 2015;
3. 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., June 24, 2015, the landlord may serve the order of possession on the tenant for enforcement purposes; and
4. 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 or the landlord's Notices.

### 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 unit in the event the tenant fails to vacate the rental unit by June 24, 2015, at 1:00 p.m.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary.

As this application was settled, I decline to award recovery of a filing fee.

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: June 18, 2015

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Residential Tenancy Branch

