



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Baywest Management Corp.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes 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 for an order cancelling the landlord's 1 Month Notice to End Tenancy for Cause ("Notice") and for recovery of the filing fee paid for this application.

The tenant, his assistant, and the landlord's two agents appeared and preliminary issues were discussed, including service of the parties' respective evidentiary submissions. Thereafter a mediated discussion ensued, the parties agreed to resolve their differences, and that I would record their settlement.

Settled Agreement

The tenant and the landlord agreed to the following terms and conditions:

1. The tenant agrees to vacate the rental unit by 1:00 p.m. on August 31, 2015;
2. The landlord agrees that the tenancy will continue until 1:00 p.m. on August 31, 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., August 31, 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 on the merits 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 unit in the event the tenant fails to vacate the rental unit by 1:00 p.m. on August 31, 2015.

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.

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 containing the parties' settled agreement 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: July 16, 2015

Residential Tenancy Branch

