



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      For the tenant: CNC  
                             For the landlord: OPC, FF

### Introduction

This hearing was convened as the result of the applications for dispute resolution under the Residential Tenancy Act (the “Act”) by each party, with the tenant applying for an order cancelling the landlord’s 1 Month Notice to End Tenancy for Cause (“Notice”) and the landlord applying for an order of possession for the rental unit pursuant to the Notice and for recovery of the filing fee paid for this application.

The parties appeared and each submitted some of their respective positions.

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 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 August 31, 2015;
2. 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
3. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the parties’ respective applications and that no finding is made on the merits of either application for dispute resolution or 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 August 31, 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.

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: August 2, 2015

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Residential Tenancy Branch

