



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNR

### Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by Tenant on July 6, 2015 after being served with a notice to end tenancy for unpaid rent on July 5, 2015.

An agent for the Landlord, the Landlord, and the Tenant appeared for the hearing. However, only the Tenant and the Landlord’s agent provided affirmed testimony. The Landlord’s agent confirmed service of the Tenant’s Application by personal service.

At the start of the hearing, the Tenant indicated that he was not happy in this tenancy and wanted to move out of the rental unit. The Landlord’s agent stated that the Landlord wanted vacant possession of the rental unit.

While the Tenant disputed the amount owed as detailed on the notice to end tenancy, the Tenant acknowledged that he had not paid rent for September 2015. However, the Landlord was willing to allow the Tenant to remain in the rental unit until the end of September 2015 in an effort to resolve the dispute through mutual agreement. The Tenant considered the Landlord’s proposal and agreed to end the tenancy on this date.

### Settlement Agreement

Pursuant to Section 63 of the Act, the 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.

The parties agreed to end the tenancy on September 30, 2015. As a result, the Landlord is issued with an Order of Possession effective for September 30, 2015 at 1:00 p.m. This order is enforceable in the Supreme Court of British Columbia as an order of that court **if** the Tenant fails to provide the Landlord with vacant possession of the rental

unit on that date and time. Copies of the above orders are attached to the Landlord's copy of this decision.

The Landlord put forward a concern that the Tenant may attempt to review this decision in an effort to delay the ending of the tenancy. As a result, the parties agreed that this agreement was made voluntarily and in full satisfaction of the Tenant's Application. I asked the parties to confirm this during and at the conclusion of the hearing which they did. This agreement and the order are fully binding on the parties. This file is now closed.

### Conclusion

The parties agreed to settle the Tenant's Application by agreeing to end the tenancy at 1:00 p.m. on September 30, 2015.

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: September 03, 2015

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Residential Tenancy Branch

