



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding VANCOUVER EVICTION SERVICES  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPC, FF; CNC

### Introduction

This hearing was convened in relation to the landlords' application pursuant to the *Residential Tenancy Act* (the Act) for:

- an order of possession for cause pursuant to section 55; and
- authorization to recover their filing fee for this application from the tenant pursuant to section 72.

This hearing was also convened in relation to the tenant's application pursuant to section 47 of the *Residential Tenancy Act* (the Act) for cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice).

Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to make submissions, to call witnesses and to cross-examine one another. The landlords were represented by their agent.

Neither party raised any issues with service.

In the course of the hearing the parties were able to agree to a conditional continuation to the tenancy.

### Analysis

Pursuant to section 63 of the Act, an 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. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenant agreed to withdraw her application.
2. The landlords agreed to withdraw their application.
3. The landlords agreed to withdraw the 1 Month Notice.
4. On or before 31 March 2016, the landlords agreed to provide an update to the tenant on the state of the tenancy.
5. On or before 30 April 2016, the landlords agreed to provide a final decision to the tenant in respect of the tenancy continuing.
6. If the landlords advise the tenant on or before 30 April 2016 that the tenancy will not continue, the tenant will provide possession of the rental unit to the landlords on or before one o'clock in the afternoon on 31 July 2016.

Each in attendance stated that she understood the terms of this agreement. The agent confirmed she had authority to bind the landlords to this agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

### Conclusion

The tenant's application is withdrawn. The landlords' application is withdrawn. The landlords' 1 Month Notice is withdrawn.

The attached order of possession is to be used by the landlords if the tenant does not vacate the rental premises in accordance with their agreement. The landlords are provided with this order in the above terms. Should the tenant fail to comply with this order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: December 16, 2015

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Residential Tenancy Branch

