



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding SANFORD HOUSING SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, OPB; CNC

Introduction

This hearing was convened in relation to the landlord's application for an order of possession for cause or the end of a fixed-term tenancy agreement pursuant to section 55 of the *Residential Tenancy Act* (the Act).

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

The tenant appeared with his advocate. The landlord's agent appeared.

In the course of the hearing the parties were able to reach an agreement as to terms by which the tenancy would end.

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 disputes under the following final and binding terms:

1. The tenant agreed to withdraw his application.
2. The landlord agreed to withdraw its application.
3. The landlord agreed to withdraw the 1 Month Notice.

4. The tenant agreed to provide possession of the rental unit to the landlord on or before one o'clock in the afternoon on 31 March 2016.
5. The landlord agreed that if the tenant was able to relocate sooner than 31 March 2016, the landlord would agree to accept the tenant's short notice.

The agent confirmed she had authority to bind the landlord to this agreement. The parties stated that they understood the terms of 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The tenant's application is withdrawn. The landlord's application is withdrawn. The landlord's 1 Month Notice is withdrawn.

The attached order of possession is to be used by the landlord if the tenant does not vacate the rental premises in accordance with their agreement. The landlord is provided with this order in the above terms and the landlord should serve the tenant with this order so that it may enforce it in the event that the tenant does not vacate the premises by the time and date set out in their agreement. 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: January 06, 2016

Residential Tenancy Branch

