



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Atira Property Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

CNC

Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause.

The Advocate for the Tenant stated that on November 17, 2015 the Application for Dispute Resolution and the Notice of Hearing were sent to the Tenant, via registered mail. The Landlord acknowledged receipt of these documents.

On December 24, 2015 the Landlord submitted four pages of evidence to the Residential Tenancy Branch. The Agent for the Landlord #1 stated that this evidence was personally served to the Tenant on December 28, 2015. The Tenant does not dispute service of these documents, although he does not specifically recall them. The evidence was accepted for the proceedings.

Preliminary Matter

The Tenant stated that his surname is misspelled on the Application for Dispute Resolution. The Application has been amended to reflect the correct spelling.

Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Background and Evidence

At the outset of the hearing the Landlord and the Tenant mutually agreed to settle this dispute under the following terms:

- the tenancy will end, by mutual consent, on February 29, 2016;
- the Tenant may end the tenancy on January 31, 2016, providing he provides written notice of his intent to end the tenancy on that date no

- later than January 21, 2016; and
- the Landlord will receive an Order of Possession that is effective February 29, 2016.

Analysis

The parties have settled the issues in dispute at these proceedings.

Conclusion

On the basis of the aforementioned settlement agreement, I grant the Landlord an Order of Possession that is effective on February 29, 2016.

The settlement agreement is recorded on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: January 13, 2016

Residential Tenancy Branch

