



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LOOKOUT EMERGENCY AID SOCIETY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC; MT, CNC, FF, O

Introduction

This hearing was convened in relation to the landlord's application for an order of possession for cause pursuant to section 55 of the *Residential Tenancy Act* (the Act).

This hearing was also convened in relation to the tenant's application pursuant to the Act for:

- more time to make an application to cancel the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 66;
- cancellation of the landlord's 1 Month Notice pursuant to section 47;
- authorization to recover her filing fee for this application from the landlord pursuant to section 72; and
- an "other" remedy.

Both parties attended the hearing. The landlord was represented by its three agents.

At the start of the hearing a settlement was proposed. The landlord and tenant agreed to a series of conditions to end 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 this 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 this dispute under the following final and binding terms:

1. The landlord agreed to withdraw its application.
2. The tenant agreed to withdraw her application.
3. The landlord agreed to cancel the 1 Month Notice.
4. The tenant agreed to vacate the rental unit by 1300 on 30 April 2016.
5. The landlord agreed to provide the tenant with a shelter bed if the tenant is unable to find alternate housing.

Each party stated that they understood the terms of this agreement. The parties agreed to these particulars comprise the full and final settlement of all aspects of their dispute for both parties.

The landlord and tenant find the following provisions of assistance:

- Section 29 of the Act; and
- Sections 24 – 30 of the *Residential Tenancy Regulation*.

Conclusion

The landlord's application is withdrawn. The tenant's application is withdrawn.

The landlord's 1 Month Notice is withdrawn.

The landlord is provided with a formal copy of an order of possession effective at 1300 on 30 April 2016. 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: March 11, 2016

Residential Tenancy Branch

