



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC, OLC, AS, O

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking more time to cancel a notice to end tenancy; to cancel a notice to end tenancy; and an order to allow the tenant to assign or sublet the rental unit.

The hearing was conducted via teleconference and was attended by the tenant and the landlord.

Issue(s) to be Decided

The issues to be decided are whether the tenant is entitled to more time to file an Application for Dispute Resolution to dispute a notice to end tenancy; to cancel a 1 Month Notice to End Tenancy; and an order to allow the tenant to sublet or assign the tenancy, pursuant to Sections 34, 47 and 66 of the *Residential Tenancy Act (Act)*.

Should the tenant be unsuccessful in seeking to cancel the 1 Month Notice to End Tenancy for Cause it must also be decided if the landlord is entitled to an order of possession pursuant to Section 55(1) of the *Act*.

Background and Evidence

During the hearing the parties reached the following settlement:

1. The tenant agreed she will vacate the rental unit on or before March 31, 2016;
2. The landlords agreed the tenant does not have to pay any rent for the month of March 2016;
3. The tenant agreed the landlord may enter the rental unit to show the unit to potential tenants; to make repairs; or to complete cleaning;
4. The landlords agreed that should they need to enter the rental unit for any of the above stated purposes they will provide written notice to the tenant by posting any planned entrances on the door to the rental unit at least 24 hours prior to entry. I note that as part of this agreement the deeming provisions outlined in Section 90 of the *Act* are not applicable.

Conclusion

Based on the above settlement and by agreement of both parties I grant the landlords an order of possession effective **March 31, 2016 after service on the tenant**. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

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: March 01, 2016

Residential Tenancy Branch

