



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OLC

Introduction

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

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47; and
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62.

The tenant and his advocate appeared. The individual landlord appeared on her own behalf and on behalf of the landlord society.

In the course of the hearing the parties reached a mutual agreement to end the tenancy. This agreement is made without prejudice to any other rights or remedies of the parties.

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 his application.
2. The landlords agreed to withdraw the 1 Month Notice.

3. The tenant agreed to provide possession of the rental unit to the landlords on or before one o'clock in the afternoon on 30 April 2016.

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

Conclusion

The tenant's application is withdrawn. The landlords' 1 Month Notice is withdrawn.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 and the landlords 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: April 01, 2016

Residential Tenancy Branch