



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 47; and
2. An Order to recover the filing fee for this application - Section 72.

The Landlord and Tenant were each given full opportunity under oath to be heard, to present evidence and to make submissions. During the hearing the Parties settled the dispute.

Undisputed Facts

The tenancy started on October 15, 2015. Rent of \$1,500.00 is payable on the first day of each month. At the outset of the tenancy the Landlord collected \$750.00 as a security deposit. On July 11, 2016 the Landlord served the Tenant with a one month notice to end tenancy for cause (the “Notice”). The reason stated on the Notice is that the Tenant has seriously jeopardized the health or safety or lawful right of another occupant or the landlord; or, has put the Landlord’s property at significant risk. The dispute is in relation to eradicating bedbugs and there is no evidence that the Tenant caused bedbugs to be present in the unit.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end no later than 1:00 p.m. on October 31, 2016; and**

2. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the settlement may be recorded in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above and I provide the Landlord with an order of possession.

Conclusion

The dispute is settled. I grant the Landlord an order of possession effective 1:00 p.m. on October 31, 2016.

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: August 29, 2016

Residential Tenancy Branch