



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, OLC, O

### Introduction

This hearing was scheduled to deal with the tenant's application to cancel a 1 Month Notice to End Tenancy for Cause dated June 28, 2016 and Orders for the landlord to comply with the Act, regulations or tenancy agreement. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

During the hearing the parties reached a mutual agreement in resolution of this dispute. I have recorded the mutual agreement by way of this decision and the Order that accompanies it.

### Issue(s) to be Decided

What are the terms of the mutual agreement?

### Background and Evidence

The parties mutually agreed to the following terms in resolution of their dispute:

1. The tenancy shall continue until September 30, 2016 at which time the tenant will return vacant possession of the rental unit to the landlord.
2. The tenant remains obligated to pay rent for September 2016 and will provide the landlord a cheque for the rent that is post-dated for September 1, 2016 when the landlord attends the property on August 24, 2016.
3. The tenant will remove all marijuana plants and marijuana growing equipment from the residential property as soon as possible but no later than 6:00 p.m. on August 24, 2016.

4. The landlord will attend the property between 6:00 p.m. and 7:00 p.m. on August 24, 2016 for purposes of confirming that all marijuana plants and growing equipment have been removed from the property.
5. During the remainder of the tenancy the tenant shall not interfere in any way with the landlord's ability to show the rental unit to prospective purchasers and will ensure the landlord has full access to the property by removing the unauthorized locks the tenant has installed on the two rooms in the rental unit.
6. Before entering the rental unit the landlord remains obligated to give the tenant proper notice of entry in a manner that complies with section 29 of the Act.

### Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement, I provide the landlord with an Order of Possession that has an effective date of September 30, 2016.

### Conclusion

The parties reached a mutual agreement in resolution of their dispute that I have recorded by way of this decision. In recognition of the mutual agreement, the landlord has been provided an Order of Possession with an effective date of September 30, 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 18, 2016

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Residential Tenancy Branch

