



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

ERP RR RP OP

Introduction

This hearing dealt with an application by the tenant for an order cancelling the landlord's 1Month Notice to End Tenancy dated July 31, 2016, orders for emergency and non-emergency repairs to the rental unit and an order for rent reduction until repairs are complete. Both parties attended the hearing and had an opportunity to be heard.

After the hearing was completed, the parties entered into a discussion about settlement of the issues between them. This settlement discussion revolved around the date that the tenant would agree to vacate the rental unit. Ultimately, the parties agreed to the following terms of settlement:

1. **The parties acknowledge that the landlord is entitled to an order of possession for the rental unit based on the landlord's 1 Month Notice to End Tenancy dated July 31, 2016 alleging, among other things, repeated late payment of rent.**
2. **The tenant will vacate the rental unit by no later than 1:00 p.m. on November 30, 2016.**
3. **The tenant may vacate the rental unit earlier than the above date by giving one month's written notice to the landlord.**
4. **The tenant agrees that he will not smoke inside the rental unit for the balance of the tenancy.**
5. **The landlord will serve the enclosed order of possession on the tenant as soon as possible.**
6. **The tenant acknowledges that the order of possession has an effective date of September 30, 2016 and that the landlord may enforce this order if the tenant resumes smoking in the rental unit or if the tenant fails to vacate the unit on November 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: September 20, 2016

Residential Tenancy Branch