



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC OLC

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

Tenant:

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

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

### Terms of Settlement

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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agrees to withdraw the 1Month Notice to End Tenancy dated August 18, 2016.
2. The tenant and landlord agree **that this tenancy will continue** on condition that J.V.S., with whom the tenant entered into a roommate agreement on August 14, 2016, vacates the rental unit *no later* than **12:00 p.m. on June 30, 2017.**

3. The landlord will be granted an **Order of Possession** effective **12:00 p.m. on June 30, 2017** which is only to be enforced by the landlord if the condition in clause #2 above is not met.
4. The tenant and landlord agree to amend the tenancy agreement changing the number of parking stalls included in the rent from two stalls to one stall effective November 1, 2016. The tenant agrees to return the second remote for the parking garage to the landlord on or before this date.

Each party confirmed that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

#### Conclusion

Subject to the conditions described above, I grant an Order of Possession to the landlord effective **12:00 p.m. on June 30, 2017**. Should the tenant(s) 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 Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 14, 2016

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Residential Tenancy Branch