



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

FINAL DECISION

Dispute Codes:

MT, CNC

Introduction

This new hearing was held based on the review consideration application made by the tenant on September 16, 2016.

On September 13, 2016 a hearing was held based on the tenants' application made July 22, 2016 in which the tenant requested additional time to dispute a one month Notice to end tenancy for cause issued on July 6, 2016 and to cancel the Notice. There was also evidence of a cross-application submitted by the landlord (see cover for file number.) The landlord had requested an order of possession.

A hearing was held on September 13, 2016. The tenant did not attend; the landlord was present. The tenants' application was dismissed and the landlord was issued an order of possession.

There was some evidence before me that the review consideration decision documents were not received by the tenant, for service to the landlord. However, each of the parties attended the new hearing held today, October 27, 2016.

At the hearing held on this date the parties reached a mutually settled agreement as follows:

- The tenancy will end effective 1:00 p.m. on October 31, 2016; and
- That the landlord is entitled to an order of possession in support of the mutually settled agreement.

Therefore, I find pursuant to section 82(3) of the Act that the order of possession issued on September 13, 2016 is varied to reflect the agreed and ordered tenancy end date; **October 31, 2016 at 1:00 p.m.** This order may be served on the tenant, filed with the Supreme Court of British Columbia and enforced as an order of the Court.

Conclusion

By agreement and order the tenancy will end effective October 31, 2016 at 1:00 p.m.

The order of possession issued on September 13, 2016 is varied to reflect the effective end date of the tenancy.

This decision is final and binding and 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 27, 2016

Residential Tenancy Branch