



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding WESTSEA CONSTRUCTION LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes:

CNC, O, OPC, FF

Introduction

This hearing was scheduled in response to cross applications.

The Tenant filed an Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause and for “other”.

The Advocate stated that on September 29, 2016 the Tenant's Application for Dispute Resolution and the Notice of Hearing were personally served to the Landlord. The male Landlord acknowledged receipt of these documents.

The Landlord filed an Application for Dispute Resolution, in which the Landlord applied for an Order of Possession and to recover the fee for filing this Application.

The male Agent for the Landlord stated that on October 14, 2016 the Landlord's Application for Dispute Resolution, the Notice of Hearing, and evidence submitted with the Application were personally served to the Tenant. The Tenant acknowledged receipt of these documents and the evidence was accepted as evidence for these proceedings.

On October 19, 2016 the Tenant submitted 4 pages of evidence to the Residential Tenancy Branch. The Advocate stated that these documents were delivered to the Landlord's office on October 19, 2016. The Landlord acknowledged receipt of these documents and the evidence was accepted as evidence for these proceedings.

Issue(s) to be Decided

Should the Tenant the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?
Is the Landlord entitled to an Order of Possession?

Background and Evidence

At the outset of the hearing the Landlord and the Tenant mutually agreed to settle this dispute under the following terms:

- the tenancy will end, by mutual consent, on November 30, 2016;
- the Landlord will receive an Order of Possession for November 30, 2016; and
- the Tenant will act in a safe manner until the end of the tenancy.

Analysis

This dispute has been settled in accordance with the aforementioned terms.

Conclusion

On the basis of the settlement agreement I grant the Landlord an Order of Possession that is effective on November 30, 2016. This Order may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

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: November 22, 2016

Residential Tenancy Branch