



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, FF; CNC, LRE, LAT, FF

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

- an order of possession for unpaid rent pursuant to section 55;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

This hearing also addressed the tenant's cross application for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the "1 Month Notice") pursuant to section 47;
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70;
- authorization to change the locks to the rental unit pursuant to section 70;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Section 63 of the *Act* provides that if the parties settle their dispute during a hearing the Director may record the settlement in the form of a decision or an order.

Pursuant to the above provision, discussion between the parties during the hearing led to a settlement / resolution. Specifically, the parties agreed and confirmed as follows;

1. The tenant and landlord agree that this tenancy will end no later than Sunday, December 4, 2016 at 1:00 p.m.;
2. The landlord will receive an order of possession effective Sunday, December 4, 2016 at 1:00 p.m.;
3. The tenant and landlord agree they each absorb the cost of their own filing fee; and
4. The tenant agrees to withdraw the remaining portions of his claim.

So as to perfect this settlement agreement, I grant the landlord an order of possession, effective 1:00 p.m. December 4, 2016. The tenant must be served with this order. If the

landlord serves the order of possession on the tenant and the tenant fails to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that court.

The above particulars comprise **full and final settlement** of all aspects of the dispute arising from this application.

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

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 30, 2016

Residential Tenancy Branch