



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 1065002 B.C. Ltd.  
and [tenant name suppressed to protect privacy]

## **DECISION**

### Dispute Codes:

CNC

### Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a Notice to End Tenancy for Cause.

The Tenant stated that the Application for Dispute Resolution, the Notice of Hearing, and evidence he submitted to the Residential Tenancy Branch with the Application were personally delivered to the Landlord's business office, although he cannot recall the date of service. The Landlord acknowledged receiving these documents from his legal counsel and they were accepted as evidence for these proceedings.

On November 10, 2016 the Tenant submitted 9 pages of evidence to the Residential Tenancy Branch. The Tenant stated that these documents were personally delivered to the Landlord's business office, although he cannot recall the date of service. The Landlord acknowledged receiving these documents from his legal counsel on December 13, 2016. The Landlord with the initials IM stated that he did not require more time to consider the evidence submitted by the Tenant and it was accepted as evidence for these proceedings.

On December 08, 2016 the Landlord submitted 12 pages of evidence to the Residential Tenancy Branch. The Landlord with the initials IM stated that these documents were posted on the door of the rental unit on December 07, 2016. The Tenant stated that he received the evidence that was posted on his door and it was accepted as evidence for these proceedings.

### Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

### Background and Evidence

Shortly after the hearing commenced the Landlord and the Tenant mutually agreed to settle this dispute under the following terms:

- the tenancy will end, by mutual consent, on April 01, 2017;
- the Tenant will not park any unlicensed vehicles on the residential property for the remainder of the tenancy;
- the Tenant will treat other tenants respectfully for the duration of the tenancy agreement; and
- the Landlord will receive an Order of Possession, effective April 01, 2017.

### Analysis

The issues in dispute at these proceedings have been settled in accordance with the aforementioned terms.

### Conclusion

The parties reached a settlement agreement. On the basis of that settlement agreement I grant the Landlord an Order of Possession that is effective at 1:00 p.m. on April 01, 2017. 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: December 16, 2016

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Residential Tenancy Branch