



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

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 on February 01, 2017 he personally served the Landlord with the Application for Dispute Resolution. The Landlord acknowledged receipt of these documents.

On February 16, 2017 the Landlord submitted 5 pages of evidence to the Residential Tenancy Branch; on February 17, 2017 the Landlord submitted 7 pages of evidence to the Residential Tenancy Branch; and on March 02, 2017 the Landlord submitted 2 pages of evidence to the Residential Tenancy Branch. The parties agree the evidence was personally served to the Tenant and they were 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

At the outset of the hearing the Landlord and the Tenant indicated they wished to settle this dispute. The parties agreed to settle all issues in dispute at these proceedings under the following terms:

- the Landlord will receive an Order of Possession for July 01, 2017;
- the Landlord will only enforce the Order of Possession if the Tenant creates a disturbance prior to July 01, 2017;
- the Tenant may apply his damage deposit of \$212.50 towards rent for April of 2017;
- the Landlord will pay the Tenant moving expenses of \$100.00;
- the Tenant will agree to show his room to prospective tenants with 24 hour written notice;
- the Tenant will respect the quiet enjoyment of all other occupants of the residential complex; and

- the Tenant will obey the RCMP recommendation to have no contact with the two individuals names in the agreement they signed on February 27, 2017.

Analysis

This dispute has been settled in accordance with the aforementioned settlement agreement.

Conclusion

I grant the Landlord an Order of Possession that is effective on July 01, 2017. This Order may be served on the Tenant if the Tenant creates a disturbance prior to July 01, 2017, 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: March 04, 2017

Residential Tenancy Branch