



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNQ, CNL

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by the tenant and both landlords.

The tenant confirmed at the outset of the hearing that she does not live in subsidized housing. As such, I find the tenant did not receive a 2 Month Notice to End Tenancy Because the Tenant Does Not Qualify for Subsidized Rental Unit and that the Notice she did receive was a 2 Month Notice to End Tenancy for Landlord's Use of Property. Therefore, I amend the tenant's Application to exclude the subsidized rental unit issue.

Issue(s) to be Decided

It must be decided if the tenant is entitled to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property.

Background and Evidence

During the hearing the parties reached the following settlement:

1. The tenant agrees to pay the landlord rent for the month of July 2017;
2. The parties agree to determine if the tenant owes any rent for the month of June 2017. If rent is owed for the month of June 2017 the tenant agrees to pay the amount owing;
3. The parties agree that if the tenant complies with items 1 and 2 the tenant will be allowed to occupy the rental unit until September 30, 2017;
4. The landlord agrees that the tenant does not have to pay rent for the months of August or September 2017;
5. The landlord agrees that when the tenant is ready to move that they will provide assistance in the form of people to help her physically move her belongings;
6. The tenant agrees to allow the landlord to begin environmental clean-up of the residential property; and
7. The landlord agrees to provide the tenant with 24 hour notice by telephone call of any dates and times that the clean-up crew will attend the residential property.

Conclusion

In support of this settlement and by agreement by the parties I grant the landlord is entitled to an order of possession effective September 30, 2017 after service on the tenant. This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be 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: July 26, 2017

Residential Tenancy Branch