



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding MACDONALD COMMERCIAL RES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

Introduction

On July 5, 2017, the Tenant submitted an Application for Dispute Resolution requesting to cancel a 1 Month Notice to End Tenancy for Cause dated June 19, 2017. (the 1 Month Notice).

The matter was set for a conference call hearing. Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence, orally and in written and documentary form, and make submissions to me.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end at 1:00 pm on October 10, 2017.
2. The Tenant agrees to pay pro-rated rent for 10 days for October 2017.
3. The Landlord is granted an order of possession effective October 10, 2017, at 1:00 p.m. The Landlord must serve the Tenant with the order of possession.
4. The Tenant withdraws her application in full as part of this mutually settled agreement.
5. The Landlord withdraws the 1 Month Notice To End Tenancy For Cause dated June 19, 2017, as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions

that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The Landlord has been granted an order of possession effective October 10, 2017, at 1:00 p.m. This order must be served on the Tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: September 14, 2017

Residential Tenancy Branch