



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MILENA CARELLA ASCENT REAL ESTATE MANAGEMENT  
CORPORATION  
and [tenant name suppressed to protect privacy]

## **DECISION AND RECORD OF SETTLEMENT**

**Dispute Codes**      CNL FF

### **Introduction**

This hearing was convened in response to an application by the tenant filed August 27, 2017 to cancel the landlord's 1 Month Notice to End Tenancy for Cause received by them August 22, 2017. Both parties attended the conference call and provided their testimony. The landlord acknowledged serving the tenant the Notice to End.

### **Background and Evidence**

**Section 63** of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to the following resolution of the parties. Specifically, it was agreed as follows;

1. Both parties agree that **the tenancy will end** and the tenant will vacate by no later than on **October 31, 2017**, and the landlord will receive an Order of Possession effective on the agreed date.
2. Both parties agreed to communicate amongst themselves in respect to the tenant's request for re-imbursement of the filing fee for this matter with a view to resolving this item to mutual satisfaction.

I make no determination in respect to the filing fee.

So as to perfect this agreement the landlord will be given an **Order of Possession** to reflect condition #1 of this agreement. The tenant must be given the Order. If

necessary, this Order may be filed in the Supreme Court and enforced as an Order of that Court.

These particulars comprise the **full and final settlement** of all aspects of this dispute. Both parties testified that they understood and agreed to the above terms. Both parties testified that they understood and agreed that the above terms settle all aspects of the dispute and are **final and binding on both parties** and that any Order is enforceable.

### **Conclusion**

The parties mutually settled their dispute in the above terms.

**This Decision and Settlement are final and binding.**

*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: September 26, 2017

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Residential Tenancy Branch