



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, ERP, RP, CNL, MN (Tenant's Application)
 OPC, FF, O (Landlord's Application)

Introduction

This hearing convened as a result of cross applications. In the Tenant's Application, filed on June 28, 2017, she sought an Order canceling a 1 Month Notice to End Tenancy for Cause issued on June 20, 2017 (the "1 Month Notice"), an Order that the Landlord make repairs, emergency and otherwise, to the rental unit and other unspecified relief. On July 4, 2017 the Tenant filed an Amendment to an Application for Dispute Resolution wherein she included the 1 Month Notice. By further Amendment filed July 19, 2017 she attempted to add a monetary claim as well as seeking an Order canceling a 2 Month Notice to End Tenancy for Landlord's Use.

In the Landlord's Application filed August 15, 2017 he sought an Order of Possession based on the 1 Month Notice, recovery of the filing fee and other unspecified relief.

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

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

The terms of their settlement follow.

Settlement and Conclusion

1. The tenancy shall end and the Tenant shall vacate the rental unit by no later than 1:00 p.m. on September 30, 2017.
2. The Landlord is granted an Order of Possession effective 1:00 p.m. on September 30, 2017. The Landlord must serve the Order on the Tenant as soon as possible and may, if necessary, file and enforce the Order in the B.C. Supreme Court.

The Tenant's Application for monetary compensation is dismissed with leave to reapply.

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 11, 2017

Residential Tenancy Branch