



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

This hearing was convened as a result of the tenant's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenant applied to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property dated June 6, 2017 (the "2 Month Notice").

The tenant, a tenant support person, and the landlord attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

Neither party raised any concerns regarding the service of documentary evidence.

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 no later than **March 31, 2018 at 1:00 p.m.**
2. The landlord is granted an order of possession effective **March 31, 2018 at 1:00 p.m.** The landlord must serve the tenant with the order of possession.
3. The parties agree that the monthly rent effective October 1, 2017 will be **\$700.00** per month and will be due on the first day of each month.
4. The tenant withdraws his application in full as part of this mutually settled agreement.

5. The parties mutually agree to withdraw the 2 Month Notices dated January 31, 2017 and June 6, 2017 and the two 10 Day Notices to End Tenancy for Unpaid Rent or Utilities dated August 4, 2017 and September 1, 2017.
6. The parties agree that the tenant will not pursue the landlord regarding the slip and fall on the stairs in 2016/2017 and the tenant agrees that the stairs have been repaired to a high quality standard.

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties confirmed their understanding and agreement that this mutually settled agreement was made on a voluntary basis and that the parties understood the final and binding nature of their settlement agreement and that it was enforceable.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above as per section 63 of the *Act*.

The tenancy shall end no later than March 31, 2018 at 1:00 p.m. The landlord has been granted an order of possession effective March 31, 2018 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