



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding 1072710 BC LTD
and [tenant name suppressed to protect privacy]

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

CNL

Introduction

This hearing was convened in response to an application by the tenant filed August 04, 2017 to cancel the landlord's Notice to End for Landlord's Use dated July 29, 2017 with an effective date of September 30, 2017. Both parties attended the conference call hearing and provided testimony. The tenant was aided by legal advocate.

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, some discussion between the parties at the outset of the hearing led to a resolution. Specifically, it was agreed by the parties and they confirmed to me as follows;

1. Both parties agree that the tenancy will end and the tenant will vacate by no later than on **December 31, 2017** and the landlord will receive an Order of Possession effective and enforceable no sooner than the agreed date.
2. Both parties agree that the tenant is not obligated to satisfy the payable rent for the months of November and December 2017.
3. Both parties acknowledged and agreed that should the tenant vacate sooner than the agreed date the tenant will receive from the landlord an amount equivalent to one month's payable rent under the tenancy agreement on or before the end of the tenancy.

4. Both parties agree that the landlord will provide the tenant a favourable or positive 'letter of reference', forthwith.

So as to perfect this agreement the landlord is given an **Order of Possession** to reflect the agreed end of tenancy date. If necessary, this Order may be filed in the Supreme Court and enforced as an Order of that Court.

Both parties testified in the hearing that they understood and agreed to the above terms, and that the settlement particulars comprise the full and final settlement of all aspects of this dispute.

Conclusion

The parties 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: October 31, 2017

Residential Tenancy Branch