



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* ("Act") for:

- cancellation of a 1 Month Notice to End Tenancy for Cause.

Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to call witnesses, and to make submissions.

The tenant confirmed receipt of the landlords' 1 Month Notice posted on his door on September 11, 2017. The landlords confirmed receipt of the tenant's evidentiary package and the tenant's dispute resolution package. In accordance with sections 88 and 89 of the *Act*, I find that the landlords were duly served with the dispute resolution and evidentiary packages.

### Analysis

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

- 1) The tenant agreed to vacate the rental unit by 1:00 P.M. on November 30, 2017.
- 2) The landlords agreed to pay the tenant a monetary order of \$1,140.00.

- 3) Both parties agreed that this settlement agreement constituted a final and binding resolution of the tenant's application.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion.

### Conclusion

The landlords shall be granted a formal Order of Possession which must be served on the tenant. If the tenant does not vacate the rental unit by 1:00 P.M. on November 30, 2017, the landlords may enforce this Order in the Supreme Court of British Columbia.

I issue a Monetary Order for \$1,140.00 in favour of the tenant. The tenant is provided with a Monetary Order in the above terms and the landlords must be served with this Order as soon as possible. Should the landlords fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

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: November 29, 2017

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Residential Tenancy Branch