



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Landlord: OPC FF
 Tenant: CNC OPT

Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties under the *Residential Tenancy Act* (the “*Act*”).

The Landlord’s Application for Dispute Resolution was received at the Residential Tenancy Branch on September 19, 2017. The Landlord applied for the following relief pursuant to the *Act*:

- an order of possession based on a One Month Notice to End Tenancy for Cause, dated August 11, 2017 (the “One Month Notice”); and
- an order granting recovery of the filing fee.

The Tenant’s Application for Dispute Resolution was received at the Residential Tenancy Branch on August 24, 2017. The Tenant applied for the following relief, pursuant to the *Act*:

- an order cancelling the One Month Notice; and
- an order of possession.

The Landlord attended the hearing in person, and was accompanied by a witness, V.T. The Tenant attended the hearing on her own behalf.

Settlement Agreement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision and attached orders.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties agreed the tenancy will end on January 31, 2018, at 1:00 p.m.
2. The Tenant agreed to vacate the rental unit no later than January 31, 2018, at 1:00 p.m.
3. The Tenant agreed she will not operate the bathroom exhaust fan or the air conditioner in the rental unit for the remainder of the tenancy.
4. The Tenant agreed to play music at a reasonable volume at reasonable hours for the remainder of the tenancy.

This agreement was reached in accordance with section 63 of the *Act*. As this agreement was reached through negotiation, I decline to award recovery of the filing fee to the Landlord.

Conclusion

I order the parties to comply with the terms of the settlement agreement described above. In support of the settlement, and with the agreement of the parties, I grant the Landlord an order of possession, which will be effective January 31, 2018, at 1:00 p.m. If necessary, the order of possession may be filed in and enforced as an order of the Supreme Court of British Columbia.

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 16, 2017

Residential Tenancy Branch