



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes

CNC OLC RR FF

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing, by teleconference, was held on December 21, 2017. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- to cancel a One Month Notice to End Tenancy for Cause (the "One Month Notice");
- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement
- an order to allow the tenant to reduce rent for repairs, services or facilities agreed upon but not provided, pursuant to section 65.

The Landlord and the Tenant both attended the hearing. All parties provided affirmed testimony.

### Settlement Agreement

During the hearing, a mutual agreement was discussed and the Tenant agreed to withdraw her application on all of the above grounds, and the Landlord agreed to cancel his One Month Notice.

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.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

- The Tenant will move out of the rental unit by **May 31, 2018, at 1pm**.
- The Tenant is at liberty to move out before this time.
- The Landlord will not increase the rent prior to the Tenant vacating the unit by the end of May 2018.
- The Landlord cancels the One Month Notice, issued on October 27, 2017.

- The Tenant withdraws her application in full
- These terms comprise the full and final settlement of all aspects of this dispute for both parties.

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.

To give effect to the settlement reached by the parties, I also grant the Landlord an Order of Possession effective May 31, 2018, at 1pm to reflect the end of tenancy.

### Conclusion

In support of the agreement described above, the landlord is granted an order of possession effective May 31, 2018, at 1pm and after service on the tenant. The Landlord may serve and enforce this Order if the Tenant fails to move out as specified above.

This Order **must** be read in conjunction with the above settlement agreement and the Landlord **must not** seek to enforce this Order on the Tenant, unless the Tenant fails to meet the conditions of this agreement.

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: December 21, 2017

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Residential Tenancy Branch