



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution filed January 23, 2018 wherein the Tenant sought to cancel a 1 Month Notice to End Tenancy for Cause issued on January 22, 2018 (the "Notice") as well as recovery of the filing fee.

The hearing was scheduled at 9:00 a.m. on March 22, 2018. Both parties called into the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Preliminary Matter

The Tenant named the building manager, B.L., as Landlord on her Application for Dispute Resolution. Pursuant to section 64(3)(c) of the *Residential Tenancy Act* and Rule 4.2 of the *Residential Tenancy Branch Rules of Procedure* I amend the Tenant's Application to accurately name the Landlord.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

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.

The terms of their settlement follow.

Settlement and Conclusion

1. The tenancy shall end and the Tenant shall vacate the rental unit by no later than 1:00 p.m. on May 31, 2018.
2. The Landlord is granted an Order of Possession effective 1:00 p.m. on May 31, 2018. The Landlord must serve the Order on the Tenant as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. The Landlord agrees the Tenant may end her tenancy earlier than May 31, 2018 provided that she gives the Landlord seven days' notice of her intention to vacate the rental unit and pays a pro-rated amount of rent to the date of vacating.

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: March 22, 2018

Residential Tenancy Branch