



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

CNC ERP LAT MNDC OLC PSF RP RR

Introduction

The tenant's application under the *Residential Tenancy Act* (the Act) primarily sought to cancel the landlord's Notice to End for Cause and other items unrelated to the main reason for this proceeding.

Both parties were represented in this proceeding. The landlord's representative and the tenant and their legal advocate attended the hearing. Both parties confirmed the issue regarding the landlord's 1 Month Notice to End for Cause dated in March 2018.

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 led to resolution of all relevant matters. As a result the parties confirmed to me that they both agreed as follows;

- 1.** the tenancy will end no later than **September 30, 2018** and the landlord will receive an Order of Possession effective no sooner than the agreed date.
- 2.** the tenant may vacate sooner than the agreed date upon the tenant providing the landlord with notice they are vacating prior to the agreed end of tenancy date.
- 3.** to the best of their abilities and mutual benefit both parties will endeavour to reside peacefully until the end of the tenancy. AND, that the tenant's legal advocate (IC) and the landlord's representative in this matter (TC) will assist the parties in respect to all communications between them until the end of the tenancy.

4. the tenant is permitted to park in the residential property driveway until the end of the tenancy. AND, that the landlord's representative will request the landlord to obtain the services of an Arborist with a view to mitigating the nuisance or detriments of a certain tree branching over the driveway area.

5. the tenant withdraws all remaining claims on application, and for all time no further claims will be made by them, or the landlord, whatsoever arising from this tenancy to the date of this hearing.

Both parties testified in the hearing confirming to me 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.

So as to perfect this agreement,

The landlord is given an **Order of Possession** to reflect the agreed end of tenancy Date of **September 30, 2018**. If necessary, this Order may be filed in the Supreme Court and enforced as an Order of that Court.

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: June 04, 2018

Residential Tenancy Branch