



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding 622611 BC LTD  
and [tenant name suppressed to protect privacy]

## **SETTLEMENT DECISION**

Dispute Codes      CNC

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on September 13, 2018. The Tenant applied for an order cancelling a One Month Notice to End Tenancy for Cause, dated September 6, 2018 (the "One Month Notice"), pursuant to the *Residential Tenancy Act* (the "*Act*").

The Tenant attended the hearing on her own behalf but was accompanied by K.C. who provided support. The Landlord was represented at the hearing by L.A., legal counsel, who was accompanied by R.E. and C.E., the principals of the corporate Landlord. The Tenant provided affirmed testimony.

### Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on numerous occasions that 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.

The parties agreed to settle this matter as follows:

1. The parties agree the tenancy will end on January 31, 2019, at 1:00 p.m.
2. The Tenant agrees to vacate the rental unit no later than January 31, 2019, at 1:00 p.m.
3. The right and obligations of the parties continue until the tenancy ends in accordance with this settlement.
4. The Tenant remains at liberty to end the tenancy before January 31, 2019, in accordance with section 45 of the *Act*.

5. If not already completed, the Tenant agrees to *immediately*:
  - a. disassemble and remove the above ground swimming pool from the rental property;
  - b. disassemble and remove the trampoline from the rental property; and
  - c. clean up and tidy the rental property to ensure all potential risks, including chemicals, paint, and similar items are securely stored or removed from the rental property (the *Good Neighbour Bylaw*, located at Tab 37 of the Landlord's documentary evidence, may provide the Tenant with some guidance in this regard).
6. The Landlord agrees to withdraw the One Month Notice as part of this settlement.
7. The Tenant agrees to withdraw the Application as part of this settlement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

### Conclusion

I order the parties to comply with the terms of the settlement set out 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 on January 31, 2018, at 1:00 p.m. The order 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: October 26, 2018

---

Residential Tenancy Branch