



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, CNR

### Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy for landlord’s use - Section 49;  
and
2. An Order cancelling a notice to end tenancy for landlord’s use - Section 49.

Both Parties attended the conference call hearing. At the outset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement. 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.

### Agreed Facts

The tenancy began in 2014. Rent of \$850.00 is currently payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant of \$300.00. Rent for September 2018 has been paid.

### Settlement Agreement

**The Parties mutually agree as follows:**

- 1. The tenancy will end on October 31, 2018 and the Tenant will move out no later than October 31, 2018; and**

- 2. If the Tenant moves out before October 31, 2018 the Landlord will not require any prior notice for the date that the Tenant moves out of the unit; and**
- 3. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the settlement may be recorded in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. To give effect to the agreement I grant the Landlord an order of possession effective 1:00 p.m. on October 31, 2018.

#### Conclusion

The Parties have settled the dispute.

I grant the Landlord an order of possession effective 1:00 p.m. on October 31, 2018.

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: September 24, 2018

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Residential Tenancy Branch