



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPC FF / MT CNC FF

### Introduction

This hearing was convened in response to cross-applications by the parties pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

Landlord:

- an order of possession for cause pursuant to section 55;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Tenant:

- more time to make an application to cancel the landlord’s One Month Notice to End Tenancy for Cause (the One Month Notice) pursuant to section 66;
- cancellation of the landlord’s One Month Notice pursuant to section 47;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

### Terms of Settlement

Pursuant to section 63 of the Act, an 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. The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenant and landlord agree **that this tenancy will end no later than 1:00 p.m. on January 31, 2019**, and, the landlord will be granted an **Order of Possession**.

2. The landlord agrees to not enforce the attached Order of Possession until January 31, 2019 on the following conditions:
  - i. The tenant removes the dog from the rental unit by the end of the day on November 16, 2018.
  - ii. The tenant continues to pay the rent and utilities payable under the tenancy agreement in full and on time for the remainder of the tenancy.

If the tenant fails to comply with any of the above conditions, the landlord may enforce the attached order of possession effective **two days after service of the Order** on the tenant.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

#### Conclusion

Subject to the conditions described above, I grant an Order of Possession to the landlord effective **two days after service of the Order** on the tenant. Should the tenant(s) fail to comply with this Order, this Order may be filed 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: November 16, 2018

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Residential Tenancy Branch