



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding NAIMARK DEVELOPMENTS LTD.,
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPM

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord for an order of possession, based on a mutual agreement to end the tenancy, signed by the parties on September 4, 2018.

Both parties appeared. During the hearing the parties agreed to settle these matters, on the following conditions:

1. The parties agreed that the landlord is entitled to an order of possession effective December 31, 2018;
2. The parties agreed that the landlord will not enforce the order of possession until January 31, 2019, under the following conditions:
 - The tenant and all person permitted on the premises by the tenant agree to keep the peace at all times. Not to disturb other tenants or the landlord and that includes smoking in the rental unit;
 - The tenant will pay the prescribed rent on January 1, 2019. Rent received will be for “use and occupancy only” and does not reinstate the tenancy; and
3. The parties agreed any violation of condition 2, by the tenant, will result in an immediate enforcement of the order of possession.

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

Conclusion

As a result of the above settlement, the landlord is granted an order of possession should the tenant fail to comply with the settlement agreement.

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: December 04, 2018

Residential Tenancy Branch