



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding VANKERO HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FF

Preliminary matters

The original hearing for this matter was heard on November 15, 2018. At that hearing the Tenant had to leave the hearing due to health issues. The hearing continued and the Landlord was successful in receiving an Order of Possession. The Tenant filed a request for a review consideration and was successful, which resulted in this review hearing of today's date.

Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy and to recover the filing fee for this proceeding.

The Tenant said he served the Landlord with the Application and Notice of Hearing (the "hearing package") by personal delivery and email on October 6, 2018. Based on the evidence of the Tenant, I find that the Landlord was served with the Tenant's hearing package as required by s. 89 of the Act and the hearing proceeded with all parties in attendance.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. The Tenant and the Landlord agreed to end the tenancy on May 31, 2019.
2. The Tenant agrees to comply with the Strata letter dated August 27, 2018 in which the Tenant agrees not to approach potential new tenants or buyers and the Tenant agrees to stop calling or bothering the strata caretaker and managers.

3. Further the Tenant agrees not to interact with any occupants of the rental complex in an aggressive or harassing way.
4. The Tenant agrees to move out of the rental unit by 1:00 p.m. on May 31, 2019.
5. the Landlord will receive an Order of Possession with an effective vacancy date of May 31, 2019.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to end the tenancy on May 31, 2019 as per the above arrangement.

The Landlord has received an Order of Possession with an effective vacancy date of May 31, 2019.

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: January 15, 2019

Residential Tenancy Branch