



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed November 30, 2018, wherein the Tenant sought to cancel a 1 Month Notice to End Tenancy for Cause issued on November 30, 2018 (the "Notice").

The hearing was scheduled for teleconference at 9:30 a.m. on January 11, 2019.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

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.

The terms of their settlement follow.

Settlement and Conclusion

1. The tenancy shall end and the Tenant shall vacate the rental unit by no later than **1:00 p.m. on March 31, 2019.**
2. The Landlord is granted an Order of Possession effective **1:00 p.m. on March 31, 2019.** The Landlord must serve the Order on the Tenant as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. Should the circumstances giving rise to the Notice repeat the Landlord is at liberty to apply for an early end to tenancy pursuant to section 56 of the *Act*.
4. By no later than January 16, 2019 the Tenant shall pay the January rent.
5. The Tenant shall continue to pay rent on or before the 1st of the month.
6. The Tenant, his advocate, and the Landlord shall meet within two weeks of the hearing to discuss issues arising from this tenancy.
7. The parties agree that the Tenant, K.G., has vacated the rental unit such that the Tenant, R.C., is the sole Tenant and occupant of the rental unit.
8. Should the Tenant secure alternate accommodation earlier than 1:00 p.m. on March 31, 2019, the Tenant shall be permitted to end his tenancy early by giving a minimum of 10 days' notice, and shall pay rent on a pro-rated basis for the dates in which he is in occupation of the rental unit.

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 11, 2019

Residential Tenancy Branch