



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding MARYSVILLE LIONS SOCIETY and  
[tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes**

CNC ERP LRE OLC OPT PSF OPM

### **Introduction**

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's One Month Notice to End Tenancy for Cause (the "One Month Notice") pursuant to section 47;
- an order to the landlord to make emergency repairs to the rental unit pursuant to sections 33 and 62;
- an order to suspend or set conditions on the landlord's right to enter the rental unit pursuant to section 70;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an Order of Possession of the rental unit pursuant to section 54;
- an order to the landlord to provide services or facilities required by law pursuant to section 65.

This hearing also dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order for possession regarding a Mutual Agreement to End a Tenancy pursuant to section 55.

Both parties attended the hearing and were given a full opportunity to be heard, to present their affirmed testimony and to make submissions. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order. Given the

agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

**The Parties mutually agreed as follows:**

- The landlord shall allow the Tenant to stay until 1:00 pm on May 31, 2019 and the landlord is granted an Order of Possession in accordance with date;
- The tenant shall not smoke in the rental unit; and
- The tenant shall not to have any overnight guests in the rental unit.

These terms comprise the full and final settlement of all aspects of these applications for both parties.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this application and cross-application.

Based on the above, I find that all matters between these parties raised in this application and cross-application are resolved pursuant to the above agreed terms.

Conclusion

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue an Order of Possession to the landlord, which is to take effect by 1:00 p.m. on May 31, 2019. This Order must be served on the tenant. If the tenant fails to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

Further to the settlement reached by the parties, I dismiss all claims by both parties in this application and cross-application without leave to reapply.

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: April 12, 2019

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Residential Tenancy Branch