



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNC FF

Introduction

This hearing was convened in response to an application by the tenant pursuant to the *Residential Tenancy Act* (the “Act”) to cancel a One Month Notice to End for Cause and recover the filing fee. Both parties attended the hearing and provided testimony. The landlord confirmed receiving the Notice of Dispute Resolution Proceeding and the tenant’s application. The tenants were represented by an articling law student.

The applicant received a One Month Notice to End for Cause on September 10, 2019 dated September 09, 2019, with a stated effective date of October 31, 2019.

At the outset of this proceeding hearing the parties briefly discussed the dispute and agreed to settle this dispute to the satisfaction of both parties.

Section 63 of the *Residential Tenancy Act* provides that the parties may settle their dispute during a hearing and an Arbitrator may record their settlement as a Decision and Order. Pursuant to this provision, some discussion between the parties led to resolution respecting the dispute of this matter. As a result, the parties confirmed to me that **they both agreed as follows;**

- 1. The tenancy will end no later than January 31, 2020** and the landlord will receive an **Order of Possession** effective the agreed date.

Both parties testified in the hearing confirming to me that they understood and agreed to the above, and that the settlement comprises the full and final settlement of this matter and the status of the tenancy.

So as to perfect this settlement agreement,

The landlord is given an **Order of Possession**, effective **January 31, 2020**. The tenant must be served with this Order. If the tenant fails to comply with the Order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

As the parties settled this matter I decline to grant recovery of the filing fee.

Conclusion

The parties settled their dispute in the above terms.

This Decision and Settlement agreement are final and binding.

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: October 22, 2019

Residential Tenancy Branch