



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding AFFORDABLE HOUSING CHARITABLE ASSOCIATION
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes For the tenant: CNC, MT
For the landlord: OPC

Introduction

This hearing was convened as a result of the cross applications of the parties for dispute resolution under the Residential Tenancy Act (Act).

The tenant applied for an order cancelling the landlord's One Month Notice to End Tenancy for Cause (Notice) and for an order allowing more time to file an application to dispute the Notice.

The landlord applied for an order of possession of the rental unit pursuant to the Notice issued to the tenant.

The tenant, her advocate, and the landlord attended the hearing, the hearing process was explained to the parties and an opportunity was given to ask questions about the hearing process.

Thereafter the participants were provided the opportunity to present their evidence orally, refer to relevant evidence submitted prior to the hearing, question the other party, and make submissions to me.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences and that I would record their settlement.

Settled Agreement

The tenant and the landlord agreed to a mutual settlement under the following terms and conditions:

1. The tenant agrees to vacate the rental unit by 1:00 p.m. on January 31, 2020;
2. The tenant understands the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenant fails to vacate the rental unit by 1:00 p.m., January 31, 2020, the landlord may serve the order of possession on the tenant for enforcement purposes; and
3. The parties acknowledge their understanding that this settled Decision resolves the matters contained in both the tenant's and landlord's application and that no finding is made on the merits of the said applications for dispute resolution or the landlord's Notice.

Conclusion

The tenant and the landlord have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit in the event the tenant fails to vacate the rental unit by January 31, 2020, at 1:00 p.m.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

This decision containing the recorded settlement of the parties 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 10, 2020

Residential Tenancy Branch