



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MT, OLC

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 "Notice"), issued pursuant to section 47;
- an order to extend the time line for disputing the Notice, pursuant to section 66; and
- an order for the landlord to comply with the Act, regulation and/or tenancy agreement pursuant to section 62.

Landlord EC and witness CJ attended, as well as the tenant's advocate CC. Both parties had a full opportunity to provide affirmed testimony, present evidence, cross examine the other party, and make submissions.

As both parties were present service was confirmed. The landlord confirmed receipt of the tenant's notice of hearing and evidence in person on January 03, 2020. In accordance with sections 88 and 89 of the Act, I find the respondent was duly served with the application and evidence.

Settlement

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation,

turned their minds to compromise and achieved a resolution of their dispute regarding this application only.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

- The tenant agrees to provide the landlord with vacant possession of the subject rental property by 1:00 P.M. on February 27, 2020;
- A move-out condition inspection will occur on February 27, 2020;
- The tenant will pay February's rent on February 01, 2020.

Conclusion

As the parties have reached a settlement, I make no findings about the merits of this application.

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 February 27, 2020. 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.

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 27, 2020

Residential Tenancy Branch