



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BRAEMAR GARDENS APARTMENTS
LIMITED and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC OLC FF

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, made on December 13, 2019 (the "Application"). The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order cancelling a One Month Notice to End Tenancy for Cause, dated December 3, 2019 (the "One Month Notice");
- an order that the Landlord comply with the *Act*, regulation, and/or the tenancy agreement; and
- an order granting recovery of the filing fee.

The Tenant attended the hearing on his own behalf. The Landlord was represented at the hearing by B.W., an agent.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised I could assist the parties to reach an agreement, which would be documented in my Decision.

During the hearing, the parties agreed to settle this matter as follows:

1. The parties agree the tenancy will end on February 29, 2020, at 1:00 p.m.
2. The Tenant agrees to vacate the rental unit by February 29, 2020, at 1:00 p.m.
3. The Tenant agrees to withdraw the Application as part of this agreement.
4. The Landlord agrees to withdraw the One Month Notice as part of this agreement.

The parties' rights and obligations under the *Act* and the tenancy agreement continue until the tenancy ends in accordance with this agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*. Accordingly, I decline to grant recovery of the filing fee to the Tenant.

Conclusion

I order the parties to comply with the terms of the settlement agreement set out above.

In support of the settlement, and with the agreement of the parties, I grant the Landlord an order of possession, which will be effective on February 29, 2020, at 1:00 p.m. The order may be filed in 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: February 21, 2020

Residential Tenancy Branch