



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding CRAFT PROPERTIES LTD  
and [tenant name suppressed to protect  
privacy]

## **DECISION**

Dispute Codes      CNC, FFT

### 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"), pursuant to section 47, and
- authorization to recover the filing fee for this application, pursuant to section 72.

Both parties attended the hearing and 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 respondent confirmed receipt of the notice of hearing and the applicant confirmed receipt of the evidence. Based on the testimonies I find that service of the notice of hearing and evidence was in accordance with sections 88 and 89 of the *Act*.

### 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 May 31, 2020.
- The tenant and his son RS (the complete name is on the cover page of this decision) will continue to live in the rental unit and both of them will be respectful and peaceful with the landlord and other tenants until the move-out date.
- The tenant's son RS will be allowed to use the tenant's key fob to access the building

### 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 May 31, 2020. If after the landlord serves this Order to the tenant and 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: March 20, 2020

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Residential Tenancy Branch