



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

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

Both parties attended the hearing and had full opportunity to provide affirmed testimony, present evidence, cross examine the other party, and make submissions. The landlord was represented by representatives AW and DD. Tenant JN was assisted by representative MN.

As both parties were in attendance I confirmed there were no issues with service of the tenant's application for dispute resolution and the evidence. The landlord confirmed receipt of the tenant's application and the evidence. The tenant confirmed receipt of the landlord's evidence. In accordance with sections 88 and 89 of the Act, I find both parties were 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 August 31, 2020.
- The tenant and her guests or visitors will be respectful and peaceful with the landlord and other tenants until the move-out date. There will be no screaming and smoking in the rental unit.
- The only tenant is JN.

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 August 31, 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: March 20, 2020

Residential Tenancy Branch