



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MT, FFT

Introduction

This hearing was convened as the result of the tenant's application for dispute resolution under the Residential Tenancy Act (Act). The tenant applied for an order cancelling the One Month Notice to End Tenancy for Cause (Notice) issued by the landlord, more time to file the application after the dispute period indicated on the Notice, and for recovery of the filing fee paid for this application.

The tenant, the co-landlord and the landlord's legal counsel appeared, provided affirmed testimony, and presented their respective sides to this dispute.

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 or before September 1, 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., on or before September 1, 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 the tenant's application and that no finding

is made on the merits of the said application for dispute resolution or the landlord's Notice.

Conclusion

The tenant and the landlord have reached a settled agreement. As the matter was settled, I have not awarded the tenant recovery of her filing fee.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession of the rental unit in the event the tenant fails to vacate the rental unit on or before September 1, 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.

Although I have issued an order of possession of the rental unit, to be served if necessary, I find the order of possession cannot be enforced until such time as the ORDER OF THE MINISTER OF PUBLIC SAFETY AND SOLICITOR GENERAL, Emergency Program Act, Ministerial Order No. M089, expires or is cancelled.

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: April 6, 2020

Residential Tenancy Branch