



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC

Introduction

This hearing was convened in response to the Tenant's Application for Dispute Resolution, in which the Tenant applied to set aside a One Month Notice to End Tenancy for Cause.

Issue(s) to be Decided

Should the One Month Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Background and Evidence

Prior to the discussion of service of documents, prior to the discussion of any of the terms of this tenancy, and prior to the discussion of the merits of this Application for Dispute Resolution, the Landlord and the Tenant mutually agreed to settle this dispute under the following terms:

- The tenancy will end, by mutual agreement, at midnight on May 04, 2020;
- The Tenant will vacate the rental unit by midnight on May 04, 2020; and
- The Tenant will return they keys to the Landlord's mail box by midnight on May 04, 2020.

This settlement agreement was summarized for the parties on at least two occasions and both parties clearly indicated they agreed to resolve this dispute under these terms.

The parties both acknowledged that they understand they were not required to enter into this agreement and that they understood the agreement was final and binding.

Analysis

I find that all issues in dispute at these proceedings have been settled by mutual consent, in accordance with the aforementioned terms.

On the basis of the settlement agreement, I grant the Landlord an Order of Possession that is effective at midnight on May 04, 2020.

Conclusion

I grant the Landlord an Order of Possession that is effective midnight on May 04, 2020.

It is my understanding that due to the current health crisis in British Columbia, the Supreme Court of British Columbia is not enforcing most Orders of Possession. This does not affect the validity of this Order of Possession. In the event the Tenant is able to safely move out of the rental unit during this health crisis by the effective date of this Order of Possession, the Tenant should do so.

In the event the Tenant does not vacate the rental unit by the effective date of the Order of Possession, the Order may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court whenever that Court deems it appropriate.

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: May 04, 2020

Residential Tenancy Branch