



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Greater Victoria Housing Society and
[tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC

This review hearing was convened in response to an application by the Tenant for an order cancelling a notice to end tenancy pursuant to section 47 of the *Residential Tenancy Act* (the “Act”). The Landlord and Tenant were each given full opportunity under oath to be heard, to present evidence and to make submissions. During the hearing the Parties reached a settlement agreement. 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.

Agreed Facts

The tenancy under written agreement started on May 15, 2015. Subsidized rent off \$294.00 is payable on the first day of each month. At the outset of the tenancy the Landlord collected a security deposit of \$334.00. On May 13, 2019 the Tenant was given a one month notice to end tenancy for cause.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end at 1:00 p.m. on November 30, 2020;**
- 2. The Landlord will accept short notice if the Tenant wishes to move out of the unit before November 30, 2020;**
- 3. The Tenant will not engage with Tenant “A” if the Tenant encounters Tenant “A” in the common areas of the building;**
- 4. The Landlord will provide the Tenant with a reference letter in relation to the length of the tenancy and the payment of rents during the tenancy;**

5. If asked about where a notice to end tenancy was issued during the tenancy the landlord will confirm that any notice to end tenancy that may have been served during the tenancy was settled by mutual agreement without any finding of fault; and
6. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the hearing, I find that the Parties have settled their dispute as recorded above. In order to give effect to the above mutual agreement I order the Parties to abide by the terms of the mutual agreement and I grant the Landlord an order of possession effective 1:00 p.m. on November 30, 2020.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective November 30, 2020. The Tenant must be served with this **Order of Possession**. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: July 16, 2020

Residential Tenancy Branch