



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      For the tenant: CNC  
                                 For the landlord: OPC, FFL

### Introduction

This was a cross application hearing that dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for cancellation of the One Month Notice to End Tenancy for Cause, pursuant to section 47 of the *Act*.

This hearing also dealt with the landlords' application pursuant to the *Act* for:

- an order for possession under a One Month Notice to End Tenancy for Cause, pursuant to sections 47 and 55 of the *Act*; and
- an authorization to recover the filing fee for this application, pursuant to section 72 of the *Act*.

Both parties attended the hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. The tenant was assisted by advocate PS. Witnesses for the landlord MS and LS also attended.

### 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 both applications for dispute resolution:

1. The tenant agrees to provide the landlords with vacant possession of the subject rental property by 1:00 P.M. on October 31, 2020.
2. Both parties will be peaceful and respectful with each other and avoid any unnecessary contact

Conclusion

As the parties have reached a settlement, I make no factual 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, pursuant to section 63(2) of the Act, I issue an Order of Possession to the landlord, which is to take effect by 1:00 P.M. on October 31, 2020. The landlords are provided with this Order in the above terms and must serve it on the tenants as soon as possible in accordance with the Act. 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: September 14, 2020

---

Residential Tenancy Branch