



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 as a result of the tenant's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (the Act). The tenant applied to cancel a 1 Month Notice to End Tenancy for Cause. The filing fee was waived.

The tenant and the landlord attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Neither party raised any valid concerns regarding the documentary evidence. As a result, I find the parties were sufficiently served under the Act.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on **November 15, 2020 at 1:00 p.m.**
2. The landlord is granted an order of possession effective **November 15, 2020 at 1:00 p.m.** The landlord must serve the tenant with the order of possession.
3. The parties agree that the tenant will remove all 5 vehicles, all bike parts and outside rubbish **no later than October 31, 2020 at 1:00 p.m.** at the expense of the tenant.
4. The tenant withdraws their application in full as part of this mutually settled agreement.

5. The landlord withdraws the 1 Month Notice as part of this mutually settled agreement.
6. The tenant agrees to pay **\$725.00** for November 1-15, 2020 rent to the landlord.

This settlement agreement was reached in accordance with section 63 of the Act. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of these matters.

Conclusion

I order the parties to comply with the terms of their settlement agreement described above.

The parties confirmed their understanding during the hearing that this mutually settled agreement is final and binding between the parties.

The landlord has been granted an order of possession effective November 15, 2020 at 1:00 p.m. This order must be served on the tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that court. The tenant is reminded that they could be responsible for all costs related to enforcement of the order of possession.

This decision will be emailed to both parties. The order of possession will be emailed to the landlord only for served on the tenant.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: October 13, 2020

Residential Tenancy Branch