



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BRIGHTSIDE
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, CNE

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution filed on September 11, 2020, wherein the Tenant sought to cancel a 1 Month Notice to End Tenancy for Cause, issued on September 7, 2020 (the "Notice"). The Tenant also applied for dispute resolution on October 7, 2020, seeking to cancel a 1 Month Notice to End Tenancy for End of Employment. These two Applications were scheduled to be heard together.

The hearing of the Tenant's Applications was conducted by teleconference at 11:00 a.m. on November 3, 2020. Both parties called into the hearing and were provided the opportunity to present their evidence orally and in written and documentary form and to make submissions to me. The Tenant appeared on his own behalf and was assisted by an Advocate, S.W. The Landlord was represented by A.M., the Tenancy Coordinator, and S.M., the Director of Community Development and Resident Support.

Preliminary Matters

The Landlord's representatives confirmed the spelling of the Landlord's business name. Section 64(3)(c) of the *Act* allows me to amend an Application for Dispute Resolution. Accordingly, I amend the Tenant's Application to correctly name the Landlord.

The Tenant's Advocate confirmed that the Tenant's second Application (filed October 7, 2020) was filed in error as the Tenant had not received a 1 Month Notice to End Tenancy for End of Employment, and that the Tenant had only received the 1 Month Notice dated September 7, 2020.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement are recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims.

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.

The terms of their settlement follow.

1. The tenancy shall end, and the Tenant shall vacate the rental unit by no later than 1:00 p.m. on November 30, 2020.
2. The Landlord is granted an Order of Possession effective 1:00 p.m. on November 30, 2020. The Landlord must serve the Order on the Tenant as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme 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 *Residential Tenancy Act*.

Dated: November 03, 2020

Residential Tenancy Branch