



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant, to cancel a One Month Notice to End Tenancy for Cause (the “Notice”) issued on July 5, 2021, and to recover the cost of the filing fee.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing. All parties including the witnesses confirmed they were not recording the hearing.

The parties confirmed receipt of all evidence submissions and there were no disputes in relation to review of the evidence submissions.

Issue to be Decided

Should the Notice be cancelled?

Settlement

This hearing proceeded for 90 minutes, and the witness provided their testimony. During the hearing the parties agreed to settle this matter, on the following conditions:

1. The parties agreed that the tenancy will end on February 28, 2022;
2. The parties agreed should the tenant find earlier alternative living accommodation the landlord waives their rights to 30 days notice;
3. The tenant agreed to preserve their tenancy to the above date that they will do the following,
 - a. They will attempt to find alter living accommodations for their adult son KK, within 7 days of this hearing, or alternately will ensure that KK is off the property no later that 14 days, December 6, 2021.

4. Should KK be on the premises of the property at any time after December 6, 2021, the landlord has the right to contact the police and have KK removed for trespassing.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

As a result of the above settlement and pursuant to section 62 of the Act, the landlord is granted an order of possession. I Order the tenant not to have KK on the premises for any reason after December 6, 2021. Should the tenant fail to comply with this order, that could give cause to end the tenancy earlier. I authorize the police that if KK is found to be on the property after December 6, 2021, they are to have KK removed for trespassing.

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 22, 2021

Residential Tenancy Branch