



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ANHART COMMUNITY HOUSING
SOCIETY and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes Tenant: CNC, RP, OLC
Landlord: OPC, FFL

Introduction

This hearing was reconvened from a hearing on August 19, 2022 regarding the Tenant's application under the *Residential Tenancy Act* (the "Act") for:

- cancellation of a One Month Notice to End Tenancy for Cause dated April 15, 2022 (the "One Month Notice") pursuant to section 47;
- an order for the Landlord to make repairs to the rental unit pursuant to section 32; and
- an order that the Landlord comply with the Act, the regulations, or tenancy agreement pursuant to section 62.

The Landlord also made a cross-application under the Act for:

- an Order of Possession under the One Month Notice pursuant to sections 47 and 55; and
- authorization to recover the Landlord's filing fee from the Tenant pursuant to section 72.

The Landlord's agent KW, the Tenant's advocate MS, and the Tenant attended this reconvened hearing.

Settlement

Pursuant to section 63 of the Act, an 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.

The parties agreed to the following final and binding settlement of the issues under dispute in the Tenant's application and the Landlord's cross-application:

1. The Tenant and any occupants of the rental unit will vacate the rental unit by 1:00 pm on November 30, 2022.
2. Within fifteen (15) days of the date of this decision, the Tenant provide the Landlord with access to the rental unit and the Landlord will repair the window in the rental unit.

The parties gave verbal affirmation at the hearing that they understood and agreed to the above settlement as legal, final and binding, which settle the issues raised on the Tenant's application and the Landlord's cross-application.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of the parties' applications and make no award regarding any filing fees.

To give effect to the settlement reached between the parties and as discussed at the hearing, I grant the Landlord an Order of Possession which orders that the Tenant provide vacant possession of the rental unit to the Landlord by 1:00 pm on November 30, 2022. This Order may be served upon the Tenant, filed with 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 *Residential Tenancy Act*.

Dated: August 29, 2022

Residential Tenancy Branch