



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding GRATER VICTORIA HOUSING
SOCIETY and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, MNDCT, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a notice to end the tenancy for cause; a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement; and to recover the filing fee from the landlord for the cost of the application.

The tenant and 2 agents for the landlord attended the hearing, and the tenant was accompanied by a Legal Advocate.

At the commencement of the hearing I alerted the parties that the Residential Tenancy Branch Rules of Procedure require that multiple applications contained in a single application must be related, and given that there are time limits with respect to notices to end a tenancy, I found that the primary application concerns a notice to end the tenancy for cause, and I dismissed the tenant's application for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement, with leave to reapply. I have made no findings of fact or law with respect to the merits of that application.

During the course of the hearing the parties agreed to settle the remaining application in the following terms:

1. the landlord will have an Order of Possession effective at 1:00 p.m. on February 28, 2023 and the tenancy will end at that time;
2. in the event that the tenant is able to obtain suitable housing prior to February 28, 2023, the tenant is not required to give a full month's notice to the landlord to vacate.

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.

Since the parties have settled this dispute, I decline to order that the tenant recover the filing fee from the landlord.

Conclusion

For the reasons set out above, and by consent, I hereby grant an Order of Possession in favour of the landlord effective at 1:00 p.m. on February 28, 2023 and the tenancy will end at that time. In the event that the tenant obtains suitable accommodation prior to that date, the tenant may give short notice to the landlord to vacate.

The tenant's application for a monetary order for money owed or compensation for damage or loss under the *Act*, regulation or tenancy agreement is hereby dismissed with leave to reapply.

This order is final and binding and may be enforced.

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 29, 2022

Residential Tenancy Branch