



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **CNC**

### Introduction

This hearing dealt with an application by the tenants pursuant to the Residential Tenancy Act (“Act”) for orders as follows:

- cancellation of the landlord’s One Month Notice pursuant to section 47

The landlord GS attended along with witness JS. The tenant MC attended with advocate CD.

Both parties were reminded to not recording the hearing pursuant to Rule of Procedure 6.11. The parties were affirmed.

The tenant confirmed receipt of the One Month Notice to End Tenancy (“One Month Notice”) dated November 9, 2022. Pursuant to section 88 of the Act the tenant is found to have been served with this notice in accordance with the Act. The landlord similarly acknowledged receipt of the tenant’s dispute notice.

### Settlement

Pursuant to section 63 of the *RTA*, 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.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

1. The tenant agrees to provide the landlord with vacant possession of the subject rental property on April 15, 2023 at 1:00 P.M.
2. If the tenant chooses to end the tenancy earlier than April 15, 2023 the tenant must provide the landlord with written notice in accordance with the Act including the date she wishes to end the tenancy
3. The tenant acknowledges that full rent must be paid until April 15, 2023.
4. The tenant's son is not allowed to attend the rental property.
5. The landlord will provide the tenant with a reference in writing to assist her in attaining alternate housing.

As the parties have reached a settlement, I make no factual findings about the merits of this application, and I have only addressed the issues brought forward in the application before me.

### Conclusion

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

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect on April 15, 2023, at 1:00 P.M. The landlord is provided with this order in the above terms and must serve the order on the tenant in accordance with the *RTA*. If the tenant fails to comply with the order, the landlord may enforce the order of possession in the Supreme Court of British Columbia.

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: February 16, 2023

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Residential Tenancy Branch