



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding DOLE ENTERPRISES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC, FFT
 OPC

Introduction

This hearing convened as a result of cross applications. In the Tenant's Application for Dispute Resolution, filed on September 20, 2022, the Tenant requested an Order canceling a 1 Month Notice to End Tenancy for Cause issued on October 27, 2022 (the "Notice") and to recover the filing fee. In the Landlord's Application for Dispute Resolution, filed on November 15, 2022, the Landlord requested an Order of Possession based on the Notice.

The hearing of the parties' Applications was scheduled for teleconference at 9:30 a.m. on February 6, 2023. Both parties called into the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is 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 February 28, 2023.**
2. The Landlord is granted an Order of Possession effective **1:00 p.m. on February 28, 2023.** The Landlord must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. The Tenant shall not disputes of medical waste in the dumpster at the rental property and shall appropriate dispose of such medical waste offsite.
4. The Tenant shall not store boxes, or any other items in the hallway in the rental unit in such as a manner as to impede access to the rental unit.

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 06, 2023

Residential Tenancy Branch