



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding ABORIGINAL LAND TRUST SOCIETY  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC

### Introduction

This hearing dealt with a tenant's application for cancellation of a One Month Notice to End Tenancy for Cause ("One Month Notice").

Both parties appeared and/or were represented at the hearing and the parties were affirmed.

I confirmed the landlord was served with the tenant's proceeding package and evidence package via registered mail.

The landlord uploaded documents to the Residential Tenancy Branch on the day of the hearing but did not serve those documents to the tenant as evidence for this proceeding. I confirmed that those same documents were already in the tenant's evidence package. As such, I informed the parties that the landlord's agents may provide oral submissions and reference the documents in the tenant's evidence package.

Prior to hearing any merits of the One Month Notice, the parties turned their minds to resolving this matter by way of a settlement agreement. The parties reached an agreement and I have recorded it by way of this decision and the Order of Possession that accompanies it.

### Issue(s) to be Decided

What are the terms of settlement?

### Background and Evidence

The parties mutually agreed upon the following terms in resolution of this dispute:

1. The tenancy will end no later than September 30, 2023 and the landlord will be provided an Order of Possession reflecting that date with this decision.
2. The tenant remains obligated to pay rent for the remainder of the tenancy.
3. The tenant is permitted to have the two dogs that currently reside with him remain in the rental unit with him for the remainder of the tenancy.
4. Should the tenant wish to end the tenancy earlier than September 30, 2023 the tenant is to give both of the landlord's agents who attended this hearing one month's advance notice, via email. The landlord shall consider accepting less than one month's advance notice provided the tenant gives the landlord's agents an emailed notice as soon as possible so that the landlord can proceed to secure a replacement tenant for the unit and invite the tenant to participate in a move-out inspection.

### Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the settlement agreement reached by the parties during this hearing and I make the term(s) an Order to be binding upon both parties.

In recognition of the settlement agreement, I provide the landlord with an Order of Possession effective at 1:00 p.m. on September 30, 2023.

### Conclusion

The parties resolved this matter by way of a settlement agreement that I have recorded in this decision. In recognition of the settlement agreement, I provide the landlord with an Order of Possession effective at 1:00 p.m. on September 30, 2023.

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: May 19, 2023

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Residential Tenancy Branch