



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking an order cancelling a One Month Notice to End Tenancy for Cause and to recover the filing fee from the landlord for the cost of the application.

The tenant was represented at the hearing by Legal Counsel, who was also accompanied by a Principle Legal Counsel as well as an Articled Student and a witness. An agent for the landlord also attended.

At the commencement of the hearing the parties agreed to settle this dispute in the following terms:

1. the landlord will have an Order of Possession effective at 1:00 p.m. on October 31, 2023 and the tenancy will end at that time;
2. the landlord will assist the tenant in finding alternative housing.

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 October 31, 2023 and the tenancy will end at that time.

I further order, by consent, that the landlord assist the tenant in finding alternative housing.

The tenant's application to recover the filing fee from the landlord is hereby dismissed without 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: June 30, 2023

Residential Tenancy Branch