



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding NANAIMO AFFORDABLE HOUSING
SOCIETY and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC-MT
 OPC, FFL

Introduction

This hearing dealt with an Application for Dispute Resolution that was filed by the Tenant (the Tenant's Application) under the *Residential Tenancy Act* (the Act) on March 23, 2023, seeking:

- An extension to the period set out under section 47(4) of the Act as they filed their Application late; and
- Cancellation of the One Month Notice to End Tenancy for Cause (One Month Notice).

This hearing also dealt with a Cross-Application for Dispute Resolution that was filed by the Landlord (the Landlord's Application) under the Act on April 3, 2023, seeking:

- An order of possession for the rental unit based on the One Month notice; and
- Recovery of their filing fees.

The hearing was convened by telephone conference call at 9:30 am on July 13, 2023, and was attended by the Tenant, the Tenant's advocate AF (Advocate), and two agents for the Landlord (Agents) JM and SL. All testimony provided was affirmed.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on several occasions during the hearing that there is no obligation to resolve the dispute through settlement, but that pursuant to section 63 of the Act, I could assist the parties to reach an agreement, which would be documented in my decision and supporting order.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties agree that the tenancy will end on August 24, 2023, at 1:00 pm.
2. The parties agree that their remaining claims are withdrawn as part of this settlement agreement.

This settlement agreement was reached in accordance with section 63 of the Act.

Conclusion

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

In support of the settlement described above, and with the agreement of the parties, I grant the Landlord an Order of Possession effective **1:00 pm on August 24, 2023**, after service on the Tenant. The Landlord is provided with this Order in the above terms and the Tenant must be served with this Order as soon as possible. Should the Tenant fail to comply with this Order, it may be filed in the Supreme Court of British Columbia, and enforced as an Order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: July 13, 2023

Residential Tenancy Branch