



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

A matter regarding BROOKSIDE RESIDENCE INC.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes Landlord: OPC, FFL
 Tenant: CNC-MT

Introduction

This hearing dealt with the parties' applications under the *Residential Tenancy Act* (the "Act").

The Landlord applied for:

- an order of possession of the rental unit pursuant to section 55 of the Act; and
- authorization to recover the filing fee for the Landlord's application from the Tenant pursuant to section 72 of the Act.

The Tenant applied for:

- cancellation of a one month notice to end tenancy for cause dated March 14, 2023 (the "One Month Notice") pursuant to section 47 of the Act; and
- more time to dispute the One Month Notice pursuant to section 66 of the Act.

The Landlord's representative EL, property manager SB, and witness CO attended this hearing and gave affirmed testimony. The Tenant and the Tenant's advocate SI also attended and gave affirmed testimony.

Settlement

Pursuant to section 63 of the Act, 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.

The parties agreed to a final and binding settlement of all issues under dispute in the parties' applications as follows:

1. This tenancy will end on September 30, 2023. The Tenant and any other occupant will vacate the rental unit by 1:00 pm on September 30, 2023.

The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as final, binding, and enforceable.

I take this opportunity to remind the parties that their rights and responsibilities under the Act, the regulation, and the tenancy agreement will continue for the duration of the tenancy.

Pursuant to section 60 of the Act, either party may make claims related to the tenancy within two years of the date that the tenancy ends.

Conclusion

As the parties have reached a settlement, I make no factual findings regarding the merits of the parties' applications.

To give effect to the above settlement and as discussed during the hearing, I grant the Landlord an Order of Possession which orders that the Tenant and any other occupant provide vacant possession of the rental unit to the Landlord by **1:00 pm on September 30, 2023**. This Order may be served upon the Tenant, filed with 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 *Residential Tenancy Act*.

Dated: July 24, 2023

Residential Tenancy Branch