



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNL, LRE, FFT
 OPR-DR, FFL

Introduction

This hearing was scheduled to convene at 9:30 a.m. on September 5, 2023 concerning applications made by the tenant and by the landlord. The tenant has applied for an order cancelling a notice to end the tenancy for unpaid rent or utilities; an order cancelling a notice to end the tenancy for landlord's use of property; an order limiting or setting conditions on the landlord's right to enter the rental unit; and to recover the filing fee from the landlord for the cost of the application. The landlord has applied for an order of possession for unpaid rent or utilities; and to recover the filing fee from the tenant.

The tenant and the landlord attended the hearing and the landlord was assisted by her daughter.

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 September 30, 2023 and the tenancy will end at that time;
2. the tenant withdraws the application for an order limiting or setting conditions on the landlord's right to enter the rental unit;
3. no rent will be payable for the month of September, 2023.

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 tenant must be served with the order of possession which may be filed in the Supreme Court of British Columbia for enforcement.

Since the parties have settled this dispute I decline to order that either party recover the filing fees.

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 September 30, 2023 and the tenancy will end at that time.

I further order that no rent will be payable by the tenant for the month of September, 2023.

The tenant's application for an order limiting or setting conditions on the landlord's right to enter the rental unit is hereby dismissed.

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: September 05, 2023

Residential Tenancy Branch