



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC, MNDCT, RR, RP, PSF, LRE, OLC, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant seeking the following relief:

- an order cancelling a notice to end the tenancy for unpaid rent or utilities;
- an order cancelling a notice to end the tenancy for cause;
- a monetary order for money owed or compensation for damage or loss under the *Residential Tenancy Act*, regulation or tenancy agreement;
- an order reducing rent for repairs, services or facilities agreed upon but not provided;
- an order that the landlord make repairs to the rental unit or property;
- an order that the landlord provide services or facilities required by the tenancy agreement or the law;
- an order limiting or setting conditions on the landlord's right to enter the rental unit;
- an order that the landlord comply with the *Act* or the tenancy agreement; and
- to recover the filing fee from the landlord for the cost of the application.

The tenant and the landlord attended the hearing, during which I alerted the parties to the Rules of Procedure which specify that multiple applications contained in a single application must be related. I found that the primary applications deal with notices to end the tenancy, and I advised the tenant that the balance of the tenant's application is dismissed with leave to reapply.

During the course of the hearing the parties agreed to settle the dispute in the following terms:

1. The landlord will have an order of possession effective at 1:00 p.m. on March 31, 2024 and the tenancy will end at that time;
2. The tenant will allow the landlord to enter the rental unit for emergencies;
3. The tenant will allow the landlord to enter the rental unit upon being provided with at least 24 hours written notice;
4. The tenant's daughter must not be on the property at the time of entry.

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 March 31, 2024 and the tenancy will end at that time. The tenant must be served with the order of possession, which may be filed in the Supreme Court of British Columbia for enforcement.

I hereby order the parties to comply with the settlement terms as set out above.

The tenant's application for recovery of the filing fee from the landlord is hereby dismissed without leave to reapply.

The balance of the tenant's application is hereby dismissed with leave to reapply.

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: December 22, 2023

Residential Tenancy Branch