



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding BC HOUSING MANAGEMENT
COMMISSION and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes

For the tenant: CNC

For the landlord: OPC, MNDL, FFL

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear a cross application regarding the above-noted tenancy.

The tenant's application pursuant to the Act is for cancellation of the One Month Notice to End Tenancy for Cause, pursuant to section 47.

The landlord's application pursuant to the Act is for:

- an order of possession under the Notice, pursuant to sections 47 and 55;
- a monetary order for loss under the Act, the regulation or tenancy agreement, pursuant to section 67; and
- an authorization to recover the filing fee, under section 72.

The tenant's advocate EM (the Advocate) and the landlords agents AF (the Landlord) and LS attended the hearing on April 25, 2024. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

This decision should be read in accordance with the decision dated April 3, 2024.

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.

Both parties agreed to the following final and binding settlement of all issues listed in these applications for dispute resolution:

1. The Tenant agrees to provide the Landlord with vacant possession of the subject rental unit on May 31, 2024, by 1:00 PM.
2. Both parties are at liberty to submit monetary claims regarding this tenancy.

Conclusion

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

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect on May 31, 2024 by 1:00 PM. The Landlord is provided with this order in the above terms and must serve it on the Tenant in accordance with the Act as soon as possible. If the Tenant fails to comply with this Order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

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: April 25, 2024

Residential Tenancy Branch