



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding Nest Property Management & Real Estates Services
Ltd. and [tenant name suppressed to protect]

DECISION

Introduction

This hearing dealt with two applications pursuant to the *Residential Tenancy Act* (Act).
The Tenant's application for:

- Cancellation of the Landlord's One Month Notice to End Tenancy for Cause (One Month Notice) under section 47 of the Act
- An order for the Landlord to comply with the Act, regulation and tenancy agreement

And the Landlords' application for:

- An Order of Possession based on a One Month Notice to End Tenancy for Cause under sections 47 and 55 of the Act
- Authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

Those listed on the cover page of this decision attended the hearing and were affirmed. Words utilizing the singular shall also include the plural and vice versa where the context requires.

Analysis

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. 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 this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the Tenant's application and the Landlord's application, and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The Tenant will vacate the rental unit by September 30, 2024, no later than 1:00 pm.
2. These particulars comprise the full settlement of all aspects of the Tenant's current application for dispute resolution and the Landlord's current application for dispute resolution.

Pursuant to section 62(3) of the Act, I make the following order:

I ORDER the parties to comply with their mutually settled agreement described above.

Conclusion

The parties have been ordered to comply with the terms of their mutually settled agreement described above.

In order to give effect to the settlement reached between the parties, and as discussed at the hearing, I grant an Order of Possession to the Landlord effective **on September 30, 2024, after service of this Order** on the Tenant. Should the Tenant or any occupant on the premises fail 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 *Residential Tenancy Act*.

Dated: July 23, 2024

Residential Tenancy Branch