



DECISION

Introduction

This hearing dealt with cross applications including:

The Tenant's November 6, 2024, Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) 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 make repairs to the rental unit under sections 32 and 62 of the Act
- an order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act

The Landlord's November 29, 2024, Application for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- an Order of Possession based on a One Month Notice to End Tenancy for Cause (One Month Notice) 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

The January 6, 2025, participatory teleconference hearing was attended by M.A. and K.S. for the Landlord, and the Tenant with the support of their Daughter.

Both sides had the opportunity to provide sworn testimony and ask questions.

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 their respective applications 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. Both parties agreed that this tenancy will end by 1:00 p.m. on May 1, 2025, by which time the Tenant agreed to have vacated the rental unit.
2. Both parties agreed that the Landlord will attend to the Tenant's rental unit at 12:30PM on Tuesday January 7, to access the unit for the purpose of:
 - a) Ensuring the structural integrity of flooring and taping down any parts of flooring that could present a tripping hazard within the unit.
 - b) Inspecting the electrical to ensure safety and functionality for the remainder of this tenancy.
 - c) Assessing the sprayer at the kitchen sink.
 - d) Tightening the shower head.
3. Both parties agreed that these particulars comprise the full settlement of all aspects of their respective applications for dispute resolution.

Conclusion

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 May 1, 2025, 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 Act.

Dated: January 6, 2025

Residential Tenancy Branch