



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes: CNC / OPC

### Introduction

The hearing was scheduled in response to the tenant's application to cancel a notice to end tenancy for cause. Both parties participated in the hearing and gave affirmed testimony. During the hearing the landlord made an oral request for an order of possession.

### Issue(s) to be Decided

Whether either party is entitled to the above under the Act, Regulation or tenancy agreement.

### Background and Evidence

Pursuant to a written tenancy agreement, the month-to-month tenancy began on August 1, 2010. The tenant's portion of monthly rent is \$510.00, and is payable in advance on the first day of each month. A security deposit of \$350.00 was collected.

Arising from a number of concerns about the tenancy, the landlord issued a 1 month notice to end tenancy for cause dated January 24, 2012. The notice was served by way of registered mail. A copy of the notice was submitted in evidence. Reasons shown on the notice for its issuance are as follows:

Tenant or a person permitted on the property by the tenant has:

- significantly interfered with or unreasonably disturbed another occupant or the landlord
- seriously jeopardized the health or safety or lawful right of another occupant or the landlord

The tenant filed an application to dispute the notice on February 3, 2012.

During the hearing the parties undertook to achieve a resolution of the dispute.

### Analysis

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties led to a resolution. Specifically, it was agreed as follows:

- that the tenant will vacate the unit by not later than 1:00 p.m., Sunday, April 1, 2012, and that an order of possession will be issued in favour of the landlord to that effect.

### Conclusion

I hereby issue an **order of possession** in favour of the landlord effective **1:00 p.m., Sunday, April 1, 2012**. This order must be served on the tenant. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: February 24, 2012.

---

Residential Tenancy Branch