



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Greater Victoria Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, MND, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking an order of possession and a monetary order.

The hearing was conducted via teleconference and was attended by the landlord's agent and the tenant.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to an order of possession for cause; to a monetary order for emptying the rental unit and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 37,47, 55, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

During the hearing the parties came to the following settlement:

1. The landlord withdraws his Application for Dispute Resolution;
2. The tenant agrees to have the rental unit cleaned up sufficiently to pass a fire inspection no later than July 10, 2013;
3. The landlord will arrange to have the rental unit inspected by a local fire inspector no sooner than July 10, 2013 but reasonably closely after this date;
4. The tenant agrees that should the rental unit fail the fire inspection the tenant will vacate the rental unit;
5. The tenant agrees that if the rental unit passes the fire inspection she will continue to clean the rental unit to the point that each room can be used for its designed purpose and specifically ensure there is access to the back of the bedroom no later than October 10, 2013;
6. The tenant agrees that if she fails to meet the condition set out in #5 above she will vacate the rental unit;
7. The tenant agrees that if she meets the condition set out in #5 above she will continue to clean the rental unit to ensure that 90% of the floor space is cleared

and that all dangerous storage has ended, such as in or on the stove and baseboard heaters no later than January 10, 2014; and

8. The tenant agrees that if she fails to meet the conditions set out in #7 above she will vacate the rental unit.

Conclusion

In support of this settlement and with agreement of both parties, I grant the landlord an order of possession effective **two days after service on the tenant**. This order is only enforceable if the tenant fails to have the rental unit pass the fire inspection or meet the deadlines for meeting the conditions set out in #5, or #7 above.

This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be 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: April 10, 2013

Residential Tenancy Branch