



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, CNC, LAT, FF

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for an order of possession for cause pursuant to section 55;

This hearing also dealt with the tenant's application pursuant to the Act for:

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the 1 Month Notice) pursuant to section 47;
- authorization to change the locks to the rental unit pursuant to section 70; and
- authorization to recover his filing fee for this application from the landlord pursuant to section 72.

Both the landlord and the tenant appeared. Neither the landlord nor the tenant raised any issues with service of documents.

In the course of the hearing the tenant proposed a settlement. The landlord and tenant agreed to a course of conduct.

Analysis

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.

During this hearing, the parties reached an agreement to settle their disputes under the following final and binding terms:

1. The tenant agreed to withdraw his application.

2. The landlord agreed to withdraw her application.
3. The landlord agreed to withdraw the 1 Month Notice.
4. The tenant agreed to return possession of the rental unit to the landlord on or before one o'clock in the afternoon on 18 December 2014.

The parties agreed and stated that they understood that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

Conclusion

Both the tenant's and landlord's applications are withdrawn. The landlord's 1 Month Notice is cancelled. The tenancy will end on or before one o'clock in the afternoon on 18 December 2014.

The attached order of possession is to be used by the landlord if the tenant does not vacate the rental premises in accordance with their agreement. The landlord is provided with this order in the above terms and the landlord may serve the tenant with this order so that it may enforce it in the event that the tenant does not vacate the premises by the time and date set out in their agreement. Should the tenant 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 subsection 9.1(1) of the Act.

Dated: December 15, 2014

Residential Tenancy Branch

