



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BROWN BROTHERS AGENCIES LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, MT

### Introduction

This hearing dealt with the tenant's application to cancel a 1 Month Notice to End Tenancy for Cause and more time to make the application. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

I was satisfied that the tenants filed to dispute the 1 Month Notice within the time limit for doing so and it was unnecessary to consider their request for more time to make the application.

As the hearing proceeded the parties reached a mutual agreement in resolution of this dispute. I have recorded the mutual agreement by way of this decision and the Orders that accompany it.

### Issue(s) to be Decided

What are the terms of the mutual agreement?

### Background and Evidence

The parties mutually agreed upon the following terms during the hearing:

1. The tenancy shall end July 31, 2016 pursuant to a mutual agreement to end tenancy and conditional upon the tenants paying rent in the full amount of \$1,100.00 for July 2016. The landlord is provided an Order of Possession with an effective date of July 31, 2016 with this decision.
2. The tenants remain obligated to pay rent of \$1,100.00 for the month of July 2016. In recognition that July 1, 2016 is a holiday, the tenants have until July 2, 2016 to satisfy this obligation. Should the tenants fail to meet this obligation the landlord

may serve and enforce the Order of Possession that is effective two (2) days after service that is also provided to the landlord with this decision.

### Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record an agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement I provide the landlord with the following Orders of Possession:

- An Order of Possession effective July 31, 2016 that may be served in any event.
- A conditional Order of Possession effective two (2) days after service that may be served and enforced only in the event the tenants fail to pay rent of \$1,100.00 that is due no later than July 2, 2016.

### Conclusion

The parties entered into a mutual agreement to end tenancy that I have recorded by way of this decision and the Orders that accompany it.

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: June 08, 2016

---

Residential Tenancy Branch