



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC

Introduction

This hearing was convened in response to the Tenants' Application for Dispute Resolution, in which the Tenants applied to set aside a Notice to End Tenancy for Cause.

The Tenant stated that on October 06, 2016 the Application for Dispute Resolution and the Notice of Hearing were sent to each Respondent via registered mail. The Landlord acknowledged that these documents were received by both Respondents.

On November 10, 2016 the Tenant submitted 3 pages of evidence to the Residential Tenancy Branch. The Tenant stated that these documents were posted on the Landlord's door, although she cannot recall the date of posting. The Landlord initially stated that these documents were received on November 10, 2016. The Landlord subsequently stated that they were received on November 11, 2016.

On November 18, 2016 the Landlord submitted 39 pages of evidence to the Residential Tenancy Branch. The Landlord stated that these documents were posted on the Tenant's door on November 17, 2016. The Tenant stated that these documents were received on November 18, 2016.

On November 21, 2016 the Tenant submitted 29 pages of evidence to the Residential Tenancy Branch.

As we were discussing whether the aforementioned evidence was submitted within the timelines established by the Residential Tenancy Branch Rules of Procedure and before service of the evidence submitted on November 21, 2016 was discussed, both parties indicated an interest in reaching a settlement agreement.

Issue(s) to be Decided

Should the Notice to End Tenancy for Cause, served pursuant to section 47 of the *Residential Tenancy Act (Act)*, be set aside?

Background and Evidence

Prior to discussing the merits of this dispute the Landlord and the Tenant mutually agreed to settle this dispute by mutually agreeing to end the tenancy on January 31, 2017.

Analysis

The parties have mutually agreed to settle this dispute by ending the tenancy on January 31, 2017.

Conclusion

On the basis of the settlement agreement I grant the Landlord an Order of Possession that is effective on at 1:00 p.m. on January 31, 2017. This Order may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

This settlement agreement is recorded on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: November 24, 2016

Residential Tenancy Branch