



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MT

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution (the "Application") under the Residential Tenancy Act (the "*Act*") for:

- more time to make an Application for an order to cancel the landlord's One Month Notice To End Tenancy for Cause (the "One Month Notice"); and
- cancellation of the landlord's One Month Notice.

Both the landlord and the tenant appeared at the teleconference hearing and gave affirmed testimony.

Pursuant to section 63 of the *Act*, the 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 the course of the hearing, the parties reached an agreement to settle this matter, on the following conditions:

1. The One Month Notice to End Tenancy for Cause dated January 29, 2017 is cancelled;
2. The tenant will vacate the rental unit by April 30, 2017 at 1:00 p.m.;
3. The tenant will pay the unpaid rent for the month of March 2017 in the amount of \$137.50 on March 10, 2017. The landlord will attend at the rental unit on March 10, 2017 at 3:15 p.m. to collect the rent from the tenant;
4. The tenant will pay rent in the amount of \$1,025.00 due for the month of April 2017 on the first day of the month when rent is due; and

5. The parties agree that the landlord will be granted a condition order of possession effective two (2) days after service on the tenant which will be of no force or effect if the tenant successfully complies with the above terms. If the tenant fails to comply with the above terms, the order of possession will be of full force and effect and may be served upon the tenant.

Conclusion

I order the parties to comply with the terms of their settlement agreement described above.

The landlord has been granted a conditional order of possession effective two (2) days after service on the tenant, which will be of no force or effect if the tenant successfully complies with the terms of this settlement agreement. If the tenant fails to comply with the terms of this settlement agreement, the order of possession will be of full force and effect and may be served upon the tenant.

Should the landlord need to enforce the order of possession, the landlord must serve the order of possession on the tenant and the order of possession may be filed in the Supreme Court of British Columbia and enforced as an order of that Court. If the tenant successfully complies with the terms of this settlement, the tenancy will continue until April 30, 2017 at 1:00 p.m.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: March 09, 2017

Residential Tenancy Branch