



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION AND RECORD OF SETTLEMENT**

**Dispute Codes**      CNC

### **Introduction**

This hearing was convened in response to an application by the tenant filed September 01, 2017 to cancel the landlord's Notice to End for Cause with an effective date of September 30, 2017. Both parties attended the conference call hearing and provided testimony.

### **Background and Evidence**

**Section 63** of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, considerable discussion between the parties led to a resolution. Specifically, it was agreed by the parties and they confirmed to me as follows;

1. Both parties agree that the tenancy will end and the tenant will vacate by no later than on **February 28, 2018** and the landlord will receive an Order of Possession effective and enforceable no sooner than the agreed date.
2. Both parties agree, and the tenant acknowledges that moving forward and to the end of the tenancy the tenant will endeavour to avoid any conduct which may attract a fine from the strata council of the rental unit.
3. Both parties agree, and the tenant acknowledges, that in the event the tenant secures new accommodations before the agreed tenancy end date that the tenant will provide the landlord with as much prior notice as possible.

It must be noted that in the parties' mutual interest it is to their benefit to co-operate and accommodate the other party toward realizing their agreement and mutual interests.

So as to perfect this agreement the landlord is given an **Order of Possession** to reflect the agreed end of tenancy date. If necessary, this Order may be filed in the Supreme Court and enforced as an Order of that Court.

Both parties testified in the hearing confirming that they understood and agreed to the above terms, and that the settlement particulars comprise the full and final settlement of all aspects of this dispute arising from the tenant's application.

**Conclusion**

The parties settled their dispute in the above terms.

**This Decision and Settlement are final and binding.**

*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: November 22, 2017

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Residential Tenancy Branch