



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

A matter regarding BROADSTREET PROPERTIES
LTD and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MT, CNC

Introduction

On November 22, 2022, the Tenant submitted an Application for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) seeking more time to make an application to dispute a notice to end tenancy and to cancel a One Month Notice to End Tenancy for Cause dated November 2, 2022 (“the One Month Notice”).

The matter was set for a conference call hearing. The Tenant and Landlord appeared at the hearing. The Tenant was assisted by an advocate. The hearing process was explained, and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form and make submissions to me.

Settlement Agreement

At the start of the hearing, the Landlord and Tenant agreed to settle this dispute, on the following conditions:

1. The parties agreed that the tenancy will end on **February 28, 2023**.
2. The parties agreed that the Landlord is granted an order of possession effective **February 28, 2023, at 4:00 p.m.** The Landlord must serve the Tenant with the order of possession.
3. The Landlord withdraws the One Month Notice to End Tenancy for Cause dated November 2, 2022, as part of this mutually settled agreement.
4. The Tenant withdraws his application for more time to dispute the One Month Notice as part of this mutually settled agreement.

5. The parties agreed that the Landlord will not pursue a monetary claim for a loss of rent that the Landlord may have received if the Tenant had moved out of the rental unit by the effective date of the One Month Notice.

This settlement agreement was reached in accordance with section 63 of the *Act*. The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Conclusion

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

The Landlord has been granted an order of possession effective February 28, 2023, at 4:00 p.m. For enforcement, this order must be served on the Tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: February 23, 2023

Residential Tenancy Branch