



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNC / OPC

Introduction

The hearing was convened following applications for dispute resolution (Applications) from both parties under the *Residential Tenancy Act* (the Act), which were crossed to be heard simultaneously.

The Tenant requests the following:

- An order cancelling a One Month Notice to End Tenancy for Cause (the Notice) under section 47(4) of the Act.

The Landlord requests the following:

- An Order of Possession based on the Notice under sections 47 and 55(2)(b) of the Act.

Settlement

Per section 63 of the Act, an arbitrator may assist the parties to settle their dispute. 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 were able to reach a compromise and achieved a resolution of their dispute on mutually agreed terms.

Both parties agreed to the following final and binding settlement of all issues listed in both Applications:

- The Tenant will provide the Landlord with vacant possession of the rental unit by 1:00 PM on December 31, 2023.
- The Tenant will pay rent to the Landlord in full by the first day of the month, when rent is due per the tenancy agreement, for the remainder of the tenancy.
- Both parties agreed that this settlement agreement constituted a final and binding resolution of both Applications.

To give effect to the settlement reached between the parties and, as discussed with them during the hearing, per section 63(2) of the Act, I issue an Order of Possession to the Landlord which is to take effect by 1:00 P.M. on December 31, 2023.

As the parties have reached a settlement, I make no factual findings about the merits of this Application.

Conclusion

The parties agreed to settlement on final and binding terms.

The Landlord is issued an Order of Possession effective 1:00 PM on December 31, 2023. A copy of the Order of Possession is attached to this Decision and must be served on the Tenant. If the Tenant does not comply with the Order of Possession, it may be filed by the Landlord with the Supreme Court of British Columbia and enforced as an order of that court.

This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: November 30, 2023

Residential Tenancy Branch