



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Public Safety and Solicitor General

DECISION

Dispute Codes CNL

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to obtain an Order to cancel a 2 Month Notice to End Tenancy for Landlord's use.

Service of the hearing documents, by the Tenants to the Landlord, was done in accordance with section 89 of the *Act*, served personally at the Landlord's office. The Landlord confirmed receipt of the hearing package.

The parties appeared at the teleconference hearing, acknowledged receipt of evidence submitted by the other, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

Issue(s) to be Decided

1. Was the 2 Month Notice to End Tenancy issued in accordance with the *Residential Tenancy Act*?
2. Have the Landlord's proven they require vacant possession to complete the required repairs to the rental property?

Background and Evidence

The parties entered into a written month to month tenancy agreement effective July 3, 2009. Rent is payable on the 3rd of each month in the amount of \$500.00 and the Tenants paid a security deposit of \$250.00. During the course of the hearing, the parties reached an agreement to settle these matters.



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Analysis

The parties agreed to settle these matters on the following conditions:

1. the Tenants withdraw their application for dispute resolution; and
2. the parties mutually agree to end the tenancy effective March 1, 2011; and
3. the Tenants agree to vacate the property in accordance with the mutual agreement and the *Residential Tenancy Act* no later than March 1, 2011 at 1:00 p.m.;
4. the Landlords will be issued an Order of Possession in consideration of the mutual agreement to end the tenancy.

Conclusion

The Landlord's decision will be accompanied by an Order of Possession effective **March 1, 2011, at 1:00 p.m.** after service on the Tenants. The Order must be served to the Tenants and may be filed in Supreme Court 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 *Residential Tenancy Act*.

Dated: January 05, 2011.

Residential Tenancy Branch