



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants for an order cancelling a Notice to End Tenancy and to recover the filing fee.

The female Tenant and the Landlord's spouse appeared and at the outset of the hearing, the parties announced an interest in resolving their differences and agreed to explore a settlement.

Upon query, the Landlord's spouse testified that she had authority to act on the Landlord's behalf, was fully aware of the issues and had authority to settle the claim if necessary.

Issue(s) to be Decided

Have the Tenants established an entitlement to an order cancelling the Notice to End Tenancy and to recover the filing fee?

Can the parties reach a mutual agreement to resolve this dispute?

Settled Agreement

After discussion, the Landlord's Agent and the Tenant agreed that this tenancy will end on or before, and the Tenants will move out on or before, **October 1, 2011, at 1:00 p.m.**

The Tenant understands that the Landlord will be issued an order of possession, based upon the settled agreement, and that if the Tenants fail to move out on or before by **October 1, 2011, at 1:00 p.m.**, the Landlord may serve the Order of Possession on the Tenants and obtain a writ of possession.

The Landlord agrees not to serve the Order of Possession unless the Tenants fail to move out by **October 1, 2011, at 1:00 p.m.**

The Landlord agrees that the Tenants will be issue a monetary order for the amount of \$50.00 for recovery of the filing fee.

Conclusion

The Landlord and Tenant have reached a settled agreement that the tenancy will end on or before **October 1, 2011, at 1:00 p.m.**

Based upon the settled agreement, as provided in section 63 of the Act, I grant the Landlord an **Order of Possession** that is effective **on October 1, 2011, at 1:00 p.m.** In the event the Tenants do not vacate the rental unit on or before that date, this order may be filed in the Supreme Court and enforced as an order of that Court.

Based upon the settled agreement, I provide the Tenants a **monetary order** for **\$50.00**. In the event the Landlord does not pay this amount on or before October 1, 2011, at 1:00 p.m., the Order may be filed in the Provincial Court (Small Claims) 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: September 06, 2011.

Residential Tenancy Branch