



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OPL, FF, MT, CNL

Introduction

This hearing was convened in response to an application by the Tenant and an application by the Landlord/Purchaser pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

The Tenant applied on November 15, 2011 for:

1. An Order allowing the Tenant more time to make an application to cancel a Notice to end Tenancy – Section 66; and
2. An Order cancelling a Notice to End Tenancy – Section 46.

The Landlord/Purchaser applied on November 17, 2011 for:

1. An Order of Possession - Section 55; and
2. An Order to recover the filing fee for this application - Section 72.

The Landlord/Vender did not appear at the Hearing. The Tenant and Landlord/Purchaser (the “Parties”) attended and were given full opportunity to be heard, to present evidence and to make submissions. At the outset, the Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement.

Settlement Agreement

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the Parties desire to settle the dispute during the proceedings, and agreement reached between the Parties during the proceedings, I find that the Parties have settled their dispute and the following records this settlement as a decision:

The Parties mutually agree as follows:

- 1. The Tenants will move-out of the unit on or before 1:00 p.m. on December 6, 2011.**
- 2. The Tenant will not pay any rent to the Landlord/Purchaser for November and December 2011.**
- 3. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Conclusion

The Parties have resolved the matter as set out above on the mutually agreed upon terms.

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 30, 2011.

Residential Tenancy Branch