



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FF

Introduction

This matter dealt with an application by the Tenant to cancel a Notice to End Tenancy for the Landlord's Use of the Property and to recover the filing fee for this proceeding.

The Tenants said they served the Landlord with the Application and Notice of Hearing (the "hearing package") by registered mail on January 24, 2012. Based on the evidence of the Tenants, I find that the Landlord was served with the Tenants' hearing package as required by s. 89 of the Act and the hearing proceeded with both parties in attendance.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. the Tenants agreed to move out of the rental unit by 1:00 p.m. on May1, 2012.
2. the Landlord agrees to compensate the Tenants for moving out of the rental unit by May 1, 2012, by providing the rental unit to the Tenants at no cost for the months of March, 2012 and April 2012.
3. both parties agreed to end the tenancy on May 1, 2012 and this settlement agreement will stand as a Mutual Agreement to End the Tenancy between the Landlord and the Tenants at 1414 Lorne Street E, Kamloops, BC.
4. the Tenants' application to cancel the Notice to End Tenancy is cancelled due to the mutual agreement to end the tenancy agreed to by the parties.
5. The 2 Month Notice to End Tenancy issued by the Landlord and dated January 3, 2012 is cancelled due to the mutual agreement to end the tenancy agreed to by the parties.



Dispute Resolution Services

Page: 2

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Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to end the tenancy on May 1, 2012 as per the above arrangement.

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*.

Residential Tenancy Branch