

## **DECISION**

Dispute Codes      CNC, FF

This is an application filed by the Tenant to cancel a notice to end tenancy for cause and the recovery of the filing fee.

Both parties attended the hearing by conference call and gave testimony.

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties at the outset of the hearing led to a resolution. Specifically, it was agreed as follows:

Both parties agree that the application filed by the Tenant will be amended to include the rental unit at 202- 107 East Broadway, Vancouver, B.C., as part of this resolution. The parties agreed that the Tenants will surrender vacant possession of both rental units to the Landlord on June 30, 2012 at or before 1:00 pm and that the Landlord shall receive an order of possession for both rental units to reflect this agreement. The parties also agreed that upon vacant possession on June 30, 2012 the Landlord shall remit \$3,500.0 (\$1,750.00 for each rental unit) as monetary compensation and that the Tenant shall receive a monetary order to reflect this agreement.

Further it was agreed that the security deposits for both rental units shall be subject to section 38 of the Residential Tenancy Act in the normal course of an end of tenancy.

The above particulars comprise full and final settlement of all aspects of the dispute arising from this application for both parties.

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: May 29, 2012.

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Residential Tenancy Branch