



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL MNDC

Introduction

This hearing dealt with an Application for Dispute Resolution by the Tenants to obtain an Order to cancel a Notice to end tenancy issued for landlord's use of the property and a Monetary Order for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement.

The parties appeared at the teleconference hearing, acknowledged receipt of evidence submitted by the other and gave affirmed testimony. At the outset of the hearing I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process however each declined and acknowledged that they understood how the conference would proceed.

Issue(s) to be Decided

1. Have the parties agreed to settle these matters?

Background and Evidence

During the course of this proceeding the parties agreed to settle these matters.

Analysis

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

- 1) The Tenants agree to withdraw their application for dispute resolution; and
- 2) The parties mutually agreed to end the tenancy effective December 31, 2012; and
- 3) The Tenants are entitled to compensation equal to two month's rent (2 x \$1975) which will be satisfied by the Tenants not paying the Landlord rent on November 1, 2012 and December 1, 2012; and
- 4) Rent for November and December 2012 will be considered paid in full in accordance with this settlement agreement; and

- 5) The aforementioned compensation is inclusive of the compensation equal to one month's rent owed to the Tenants pursuant to section 51(1) of the Act for being issued a 2 Month Notice under section 49 of the Act.

In favour of the aforementioned agreement, the Landlord will be issued an Order of Possession.

Conclusion

The Tenants' application has been withdrawn and the matters have been settled, pursuant to section 63 of the *Residential Tenancy Act*.

The Landlord has been issued an Order of Possession effective December 31, 2012. This Order is legally binding and must be served upon the Tenants.

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: October 04, 2012.

Residential Tenancy Branch