



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing dealt with an Application for Dispute Resolution under the *Residential Tenancy Act* (the “*Act*”) by the tenants to cancel a Notice to End Tenancy for Cause (the “Notice”).

One of the tenants and the landlord appeared at the hearing, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

Both parties agreed to receiving evidence from the other party prior to the hearing, and confirmed that they had the opportunity to review that evidence.

Settlement Agreement

Section 63 of the *Act*, states:

Opportunity to settle dispute

- 63** (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 an order.

During the hearing, the parties agreed to settle these matters, on the following conditions:

- 1) The tenancy will end on **November 30, 2012 at 1:00 p.m.**
- 2) The tenants will provide vacant possession of the rental unit to the landlord on **November 30, 2012 at 1:00 p.m.**
- 3) The parties will meet at the rental unit to participate in a move-out condition inspection on November 30, 2012 at 1:00 p.m.
- 4) Rent for the month of November 2012 is due on November 1, 2012.

Conclusion

I grant the landlord an order of possession effective **November 30, 2012 at 1:00 p.m.** The tenants must be served with the order of possession. Should the tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 25, 2012

Residential Tenancy Branch