



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

SETTLED AGREEMENT

Dispute Codes CNR, FF

Introduction

This hearing was convened as the result of the tenants' application for dispute resolution under the Residential Tenancy Act (the "Act"), seeking cancellation of a 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice") and for recovery of the filing fee.

The parties appeared and submitted some of their respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences.

Issue(s) to be Decided

Will the tenants agree to vacate and will the landlord be issued an order of possession?

Can the parties reach a mutual agreement to resolve this dispute?

Settled Agreement

The tenant and the landlord agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenant agrees to vacate the rental unit by 1:00 p.m. on March 15, 2013;
2. The landlord agrees that the tenancy will continue until March 15, 2013, at 1:00 p.m.;
3. The tenant understands the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, the order of possession for the rental unit is enclosed with the landlord's Decision, and that if the tenants

- fail to vacate the rental unit by 1:00 p.m., March 15, 2013, the landlord may serve the order of possession on the tenants and obtain a writ of possession;
4. The tenant withdraws his request for recovery of the filing fee; and
 5. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenants' application and that no finding is made on the merits of the said application for dispute resolution or the landlord's Notice to end the tenancy.

Conclusion

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

This settled agreement 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* and is being mailed to both the applicants and the respondent.

Dated: February 26, 2013

Residential Tenancy Branch

