



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL RR

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant to cancel a 2 month notice to end tenancy for landlord's use of property with a vacancy date of April 30, 2013.

Settlement Agreement

Both parties appeared, during the hearing, the parties agreed to settle this matter, on the following conditions:

- 1) The parties agreed that the 2 month notice to end tenancy for landlord's use of property, even though the landlord failed to date and sign the notice is valid. The reason stated in the notice is:

All of the conditions for sale of the rental unit have been satisfied and the purchaser has asked the landlord, in writing, to give this Notice because the purchaser or a close family member intends in good faith to occupy the rental unit.

- 2) The tenant agreed to vacate the unit on April 30, 2013, and the landlord is entitled to an order of possession effective that date;
- 3) The parties agreed the tenant was entitled to receive as compensation for the notice the equivalent of one month's rent payable under the terms of the tenancy agreement as required by section 51(1) of the Act, and this was paid to the tenant in the form of rent for April 2013;
- 4) The parties agreed the tenant may be entitled to further compensation under section 51(2) of the Act, should the rental unit not be used for the stated purpose; and
- 5) The landlord agreed at the end of the tenancy to return to the tenant the full amount of the security deposit paid (\$237.50), to assist the tenant with her move.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Conclusion

As a result to the settlement agreement I find that the landlord is entitled to an order of possession effective **April 30, 2013 at 1:00 P.M.** A copy of this order must be served on the tenant. This order may be filed in the Supreme Court and enforced as an order of that Court.

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: April 10, 2013

Residential Tenancy Branch

