



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, ERP, RP, RR, FF

Introduction

This hearing dealt with the tenant's application for dispute resolution, seeking to cancel a notice to end tenancy issued by the landlord for the landlord's use of the property and for the recovery of the filing fee. The tenant also applied for an order directing the landlord to comply with the *Act*, carry out emergency repairs, provide services and reduce rent.

Both parties appeared, 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. The parties acknowledged receipt of evidence submitted by the other and gave affirmed testimony. During the hearing, the landlord made a request under section 55 of the legislation for an order of possession in the event that the notice to end tenancy is upheld.

Issues to be Decided

Has the landlord validly issued the notice to end tenancy and does the landlord intend, in good faith, to demolish the property?

Background and Evidence

On May 29, 2013, the landlord issued the tenant a two month notice to end tenancy, to be effective on July 31, 2013.

The reason the landlord gave the notice to the tenant is described as, the landlord has all necessary permits and approvals required by law to demolish or repair the rental unit in a manner that requires the unit to be vacant.

During the hearing the above reasons were discussed at length. The parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle their dispute. Both parties agreed to the following terms:

1. The landlord agreed to allow the tenancy to continue up to August 31, 2013.
2. The tenants agreed to move out on or before August 31, 2013.
3. An order of possession will be granted to the landlord effective this date
4. Both parties stated that they understood and agreed that these particulars comprise the full and final settlement of all aspects of this dispute for both parties.

Since the tenancy is ending the balance of the tenant's application is moot and accordingly dismissed.

Conclusion

I grant the landlord an order of possession effective on or before 1:00 pm on August 31, 2013.

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: July 05, 2013

Residential Tenancy Branch

