



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, OPT, RR, FF

Introduction

This hearing was convened as the result of the tenants' application for dispute resolution under the Residential Tenancy Act (the "Act"), seeking an order cancelling the landlords' 1 Month Notice to End Tenancy for Cause (the "Notice"), an order of possession for the rental unit, for an order allowing a reduction in rent, and for recovery of the filing fee.

The parties appeared and each represented 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 the rental unit and will the landlords be issued an order of possession?

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

Settled Agreement

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

1. The tenants agrees to vacate the rental unit by 1:00 p.m. on April 30, 2014;
2. The landlords agree that the tenancy will continue until April 30, 2014, at 1:00 p.m.;
3. The tenants understand the landlords will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenants fail to vacate the rental unit by 1:00 p.m., April 30, 2014, the landlords may serve the order of possession on the tenants and obtain a writ of possession;
4. The landlords agree not to serve the order of possession on the tenants unless the tenants fail to vacate the rental unit 1:00 p.m. on April 30, 2014;

5. The tenants acknowledge that they will continue to pay monthly rent of \$1200 and the utilities for the rental unit;
6. The landlords agree that the tenants may keep their dog and the tenants agree that they will prevent the dog from damaging the rental unit; and
7. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenants' application and the landlords' Notice, and that no finding is made on the merits of the said application for dispute resolution or the landlords' Notice.

Conclusion

The tenants and the landlords have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlords with an order of possession for the rental unit in the event the tenants fail to vacate the rental unit by April 30, 2014, at 1:00 p.m.

The order of possession is enclosed with the landlords' Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary.

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 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* and is being mailed to both the applicants and the respondents.

Dated: November 27, 2013

Residential Tenancy Branch

