



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION **and** **RECORD OF SETTLEMENT**

Dispute Codes:

CNL, MNDC, FF

Introduction

This hearing was convened in response to an application by the tenant disputing the landlord's Notice to End for Landlord's Use of Property, and for compensation, inclusive of recovering the filing fee from the landlord. Both parties attended the hearing and each provided prior document evidence which each party acknowledges having received. The parties also provided testimony and were permitted to ask questions to one another. Prior to concluding the hearing both parties acknowledged they had presented all of the relevant evidence that they wished to present.

Regardless, during the course of the hearing the parties discussed their issues in dispute and turning their minds to compromise each confirmed their agreement to settle all issues in dispute related to the tenancy to the full satisfaction of both parties for all time, and that I record their settlement as per Section 63 of the *Residential Tenancy Act* as follows:

1. The tenant and landlord agree that the tenancy will **end January 31, 2014**; and, the landlord will receive an **Order of Possession effective no sooner than January 31, 2014**.
2. The tenant and landlord agree that the landlord **waives all rent payable for December 2013 and January 2014**, inclusive of all compensation due to the tenant as a result of the landlord's issuance of the Notice to End for Landlord's Use – with the effect that the tenant is not required to pay rent until the end of this tenancy, January 31, 2014.
3. The tenant and landlord agree that on or before the end of the tenancy of January 31, 2014, **the landlord will give the tenant \$1000.00**, and the tenant will receive a **Monetary Order in the agreed amount**.

Conclusion

I grant an Order of Possession to the landlord **effective January 31, 2014**. The tenant must be served with this Order of Possession. Should the tenant 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.

I grant the tenant a Monetary Order under Section 67 of the Act **in the agreed amount of \$1000.00**. If the landlord does not pay the tenant this amount, this Order is enforceable in the Small Claims Court as an Order of that Court.

As the parties determined to settle their dispute, I decline to grant the tenant the filing fee for this matter.

This Decision and Settlement is final and binding on both parties.

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: December 02, 2013

Residential Tenancy Branch

