



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

This hearing was convened as a result of the tenant's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenant applied to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property (the "2 Month Notice").

The tenant and the landlord attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The landlord confirmed that he received and had the opportunity to review the tenant's evidence. The landlord confirmed that he did not submit evidence in response to the tenant's application. I find the landlord was served in accordance with the *Act*.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on **Sunday, February 23, 2014 at 1:00 p.m.**
2. The landlord is granted an order of possession effective **February 23, 2014 at 1:00 p.m.** The landlord must serve the tenant with the order of possession.

3. The landlord agrees to waive rent for February 1, 2014 to February 23, 2014 if the tenant vacates the rental unit by February 23, 2014 at 1:00 p.m. If the tenant vacates the rental unit by February 23, 2014 at 1:00 p.m., the landlord agrees that no rent will be due; however, the parties agree that if the tenant does not vacate the rental unit by February 23, 2014, the landlord is at liberty to apply for all of February 2014 rent.
4. The parties mutually agree to withdraw the 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated February 1, 2014 as part of this mutually settled agreement.

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

Conclusion

I order the parties to comply with the terms of their settlement agreement described above.

The landlord has been granted an order of possession effective February 23, 2014 at 1:00 p.m. This order must be served on the tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: February 4, 2014

Residential Tenancy Branch

