



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC FF

Introduction

This hearing dealt with an Application for Dispute Resolution filed on August 7, 2014, by the Tenants to cancel a 1 Month Notice to end tenancy issued for cause and to recover the cost of the filing fee from the Landlords for this application.

The hearing was conducted via teleconference and was attended by the Landlord R.V. and the Tenant A.G. As there are two Landlords and two Tenants named in this dispute, for the remainder of this decision, terms or references to the Landlords or Tenants importing the singular shall include the plural and vice versa.

The parties gave affirmed testimony and confirmed receipt of evidence served by the other. At the outset of the hearing I explained how the hearing would proceed and the expectations for conduct during the hearing, in accordance with the Rules of Procedure. Each party was provided an opportunity to ask questions about the process however, each declined and acknowledged that they understood how the conference would proceed.

During the hearing each party was given the opportunity to provide their evidence orally, respond to each other's testimony, and to provide closing remarks. A summary of the testimony is provided below and includes only that which is relevant to the matters before me.

Issue(s) to be Decided

Have the parties agreed to settle these matters?

Background and Evidence

It was undisputed that the parties entered into a verbal tenancy agreement that began in March 2013. The Tenants are required to pay rent of \$700.00 on the first of each month and on or before March 1, 2013 the Tenants paid \$350.00 as the security.

During the course of this hearing the parties agreed to settle these matters.

Analysis

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to 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 the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute on the following terms:

- 1) The Tenants agreed to withdraw their application for disputes resolution;
- 2) The Tenants agree to pay their rent on time on the first of each month; and
- 3) The parties mutually agreed to end this tenancy effective December 31, 2014, at 1:00 p.m.

In support of the above agreement, the Landlord will be issued an Order of Possession.

The parties agreed to settle these matters; therefore, I declined to award recovery of the filing fee.

Conclusion

The parties agreed to settle these matters, pursuant to section 63 of the *Act*.

The Landlords have been issued an Order of Possession effective **December 31, 2014 at 1:00 p.m. upon service to the Tenants**. In the event that the Tenants do not comply with this Order it may be filed with the Province of British Columbia 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: October 09, 2014

Residential Tenancy Branch

