



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, FF

### Introduction

This was the hearing of an application by the tenant to cancel a two month Notice to End Tenancy for landlord's use. The hearing was conducted by conference call. The tenant called in together with his wife and he was represented by a legal advocate. The landlord called in and participated in the hearing.

### Issue(s) to be Decided

Should the two month Notice to End Tenancy for landlord's use dated August 1, 2014 be cancelled?

### Background and Evidence

I received documentary evidence from the parties and I heard extensive testimony concerning the landlord's reasons for seeking to end the tenancy. I heard from the tenants and their advocate with respect to their objections to the Notice to End Tenancy and their reasons for questioning the landlord's intentions with respect to the rental unit.

During the hearing the landlord and the tenant were invited to consider whether they were willing to discuss a settlement of the matters in dispute in this proceeding. The landlord and the tenants agreed that this tenancy will end on March 31, 2015 unless the tenants give the landlord written notice to end the tenancy sooner than March 31, 2015. The rent will continue at the current rate until March 31, 2015. Because the tenancy is ending by mutual agreement the tenants are not entitled to receive a month's free rent. The tenants agreed that the landlord will have an order for possession effective March 31, 2015.

Conclusion

Pursuant to the agreement of the parties I grant the landlord an order for possession effective on March 31, 2015 after service on the tenants. This order may be filed in the Supreme Court and enforced as an order of that court. Because this matter was resolved by a settlement agreement, I make no order with respect to the filing fee for this application.

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 15, 2014

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Residential Tenancy Branch

