



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, O, FF

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by one of the tenants; their legal counsel and an agent for the landlord.

Issue(s) to be Decided

The issues to be decided are whether the tenants are entitled to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property and to recover the filing fee from the landlord for the cost of the Application for Dispute Resolution, pursuant to Sections 49, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

Prior to the start of the hearing the parties reached the following settlement:

1. The tenants agree to vacate the rental unit no later than 1:00 p.m. on November 15, 2015;
2. The landlord agrees the tenants are not required to pay rent for the month of October 2015;
3. The landlord agrees the tenants are not required to pay rent for the period of November 1, 2015 to November 15, 2015;
4. The landlord acknowledged that he has received the tenants' forwarding address on the date of this hearing;
5. The parties agree the landlord will comply with the requirements of the *Act* for the disposition of the security deposit at the end of the tenancy.

Conclusion

In support of this settlement and with agreement of both parties I grant the landlord an order of possession effective **November 15, 2015 after service on the tenants**. This order must be served on the tenants. If the tenants fail to comply with this order the

landlord may file the order with the Supreme Court of British Columbia and be 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: November 04, 2015

Residential Tenancy Branch

