



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC OLC LRE RP FF

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("the *Act*") for an order regarding access to the rental unit pursuant to section 70; an order to the landlords to make repairs to the rental unit pursuant to section 33; an order that the landlords comply with the *Act* pursuant to section 62; and authorization to recover the filing fee for this application from the landlords pursuant to section 72.

Both parties attended the hearing and were given an opportunity to be heard, to present sworn testimony and to make submissions. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Background and Evidence

The landlord issued a 1 Month Notice to End Tenancy for Cause to the tenants on June 2, 2016. The 1 Month Notice had an effective date of July 15, 2016. As a result of disputes between the parties and after the issuance of the Notice to End Tenancy, the tenants chose to make plans to vacate the rental unit. The tenant present for this hearing testified that he and his co-tenant are able to vacate the rental unit on August 1, 2016, one day after the correct effective date of the landlord's Notice to End Tenancy. The parties both agreed that the tenants have paid rent for the month of July 2016. The landlord testified that she continues to hold the security deposit paid by the tenants at the outset of this tenancy.

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. Given the

agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

The Parties mutually agreed as follows:

1. The tenants agreed to vacate the rental unit on or before August 1, 2016 at one in the afternoon.
2. The parties agreed that the provision of July 2016 rent satisfies the rental obligation to the landlord.
3. The parties agree that they will address the security deposit at the end of tenancy in accordance with section 38 of the *Act* provided above and any other relevant sections.
4. These terms comprise the full and final settlement of all aspects of this dispute for both parties.

Conclusion

To give effect to the settlement reached between the parties, the landlord is provided with a formal copy of an Order of Possession effective August 1, 2016 **to be used only in the event that the tenants fail to comply with the mutual agreement** above. Should the tenant(s) fail to comply with the agreement or this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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: July 06, 2016

Residential Tenancy Branch