



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes            OPL CNL MNDC PSF OLC FF O

### Introduction

This hearing was convened in response to cross-applications by the parties pursuant to the *Residential Tenancy Act* for Orders as follows:

Landlord:

- an order of possession for landlord's use of property pursuant to section 55;
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Tenant:

- cancellation of the landlord's 2 Month Notice to End Tenancy for Landlord's Use of Property pursuant to section 49;
- a monetary order for compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- an order to the landlord to provide services or facilities required by law pursuant to section 65;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.
- an "other" unspecified remedy.

All named parties attended the hearing. Prior to the conclusion of the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement. I agreed to assist the parties in settling their dispute in accordance with section 63 of the *Act*.

### Analysis

Pursuant to section 63 of the Act, an 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenants and landlord agree **that this tenancy will end** *no later* than **12:00 p.m. on March 1, 2017**, and, the landlord will be granted an **Order of Possession** effective this date.
2. Pursuant to section 51 of the Act, the tenants are entitled to receive from the landlord on or before March 1, 2017, an amount that is equivalent of one month's rent payable under the tenancy agreement.
3. The landlord agrees to provide the tenants with a favorable letter of reference.
4. The tenant agrees to act reasonably in providing the landlord access to the rental unit for the performance of minor renovations and repairs.
5. The tenants may end the tenancy before March 1, 2017 by providing the landlord at least 10 day's written notice to end the tenancy.

Each party confirmed that they understood the terms of the agreement. The parties agreed that these particulars comprise the **full and final settlement** of all aspects of the above applications.

**This Decision and Settlement Agreement is final and binding on both parties.**

#### Conclusion

I grant an Order of Possession to the landlord effective **12:00 p.m. on March 1, 2017**. Should the tenants fail to comply with 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: September 07, 2016

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Residential Tenancy Branch

