



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding RYZAK HOLDINGS
and [tenant name suppressed to protect privacy]

AGREEMENT REACHED BETWEEN BOTH PARTIES

Dispute Codes

For tenants JW and DT – CML, FF

For tenants RP and JH - CNL

Introduction

This matter dealt with an application by the tenants in four separate units of this fourplex seeking an Order to cancel a Two Month Notice to End Tenancy for landlord's use of the property and to recover the filing fee from the landlord for the cost of this proceeding.

The parties advised that the tenant DT in unit 4 and the tenant JH in unit 1 have vacated their rental units on December 05 and December 19, 2016. Consequently, this agreement is made with the tenants JW and RP in respect of their claims and since the other two tenants have vacated their rental units their applications no longer have merit and are dismissed.

Through the course of the hearing the tenants and the landlords came to an agreement in settlement of the tenants' applications for the tenants JW and RP.

The Parties did not require me to make a decision in this matter but required me to record the agreement they mutually reached.

This agreement is as follows:

- The parties agree that the tenancies will end on February 28, 2017;

- The parties agreed that the tenants can vacate their rental units on or before February 28, 2016 and are not required to provide the landlord with one clear months written notice but must provide the landlord with 10 days written notice;
- The parties agreed that if the tenants continue to reside in their rental units until February 28, 2016 they will receive the month of February rent free. If the tenants vacate the rental unit in January after giving the landlord 10 days written notice the tenants will receive a portion of rent back from the landlord for the remainder of the month after the 10 day notice period;
- The landlord agreed the tenant JW may deduct \$100.00 from her next rent when it is due for January, 2017;
- The tenants agreed to ensure all personal belongings will be removed from the rental unit on or before February 28, 2016;
- The landlord agreed to withdraw both of the Two Month Notices to End Tenancy dated October 18, 2016 and November 24, 2016.

Conclusion

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties are bound by the terms of this agreement. Should either party violate the terms of this settled agreement, it is open to the other party to take steps under the *Act* to seek remedy.

The applications for file numbers 545061 and 545063 are dismissed.

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: December 20, 2016

Residential Tenancy Branch

