



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNDC, OLC, FF

Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for compensation - Section 67;
2. An Order for the Landlord’s compliance - Section 62; AND
3. An Order to recover the filing fee for this application - Section 72.

The Landlord and Tenant were each given full opportunity under oath to be heard, to present evidence and to make submissions. During the hearing the Parties discussed a settlement and reached a settlement agreement.

Facts

The tenancy started in 1986 and ended on March 31, 2016. Rent of \$1,150.00 was payable monthly. The tenancy ended as a result of the owner serving the Tenant with a 2 month notice to end tenancy for landlord’s use with the stated intention that the purchaser or a close family member of the purchaser would be moving into the unit (the “Notice”). The Tenant seeks compensation for the Landlord not complying with the Notice.

Settlement Agreement

The Parties mutually agree as follows:

- 1. On or before Wednesday January 25, 2017, the Tenant will sign a “release and non-disclosure agreement” in relation to this dispute and upon the**

Tenant's signing and no later than Wednesday January 25, 2017 the Landlord will:

- a) pay the Tenant \$1,500.00; and**
- b) withdraw its application claiming against the Tenant scheduled to be heard on May 24, 2017; and**

- 2. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the settlement may be recorded in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above.

Conclusion

The dispute has been settled by mutual agreement.

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: January 16, 2017

Residential Tenancy Branch