



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNR, FF (Tenant's Application)
OPR, MNR, MNDC, FF (Landlord's Application)

Introduction

This hearing convened as a result of cross applications.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims. The terms of their settlement follow.

Settlement and Conclusion

1. The tenancy shall end on March 1, 2017 at 1:00 p.m.
2. The Landlords shall be entitled to an Order of Possession effective 1:00 p.m. on March 1, 2017.
3. The Tenant shall not be obligated to pay rent for February 2017 as this shall be considered her compensation pursuant to section 51(1) and 51(1.1) of the *Residential Tenancy Act*, and the 2 Month Notice to End Tenancy for Landlord's Use issued on December 29, 2016.
4. All other claims arising from the parties' respective Applications for Dispute Resolution, including but not limited to the Landlords' claim for unpaid rent for May 2016 and January 2017, are dismissed with leave to reapply.

The Landlord was cautioned to consider sections 27 with respect to the provision of services or facilities.

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: February 23, 2017

Residential Tenancy Branch

