



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, 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. An Order cancelling a notice to end tenancy - Section 47; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. At the outset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement.

### Agreed Facts

The tenancy began on July 1, 2016. Rent in the amount of \$1,150.00 is payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a \$575.00 as a security deposit from the Tenant. On February 12, 2017 the Landlord served the Tenant with a one month notice to end tenancy for cause.

### Settlement Agreement

**The Parties mutually agree as follows:**

- 1. The tenancy will end on March 31, 2017;**
- 2. The Tenant will move out of the unit no later than 1:00 p.m. on March 31, 2017;**
- 3. The Landlord will pay the Tenant \$2,900.00, comprised of the equivalent of two month’s rent, \$500.00 for moving expenses and \$100.00 for recovery of the filing fee paid by the Tenant, no later than 7:00 p.m. on March 30, 2017; and**
- 4. 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. To give effect to the agreement I provide the Landlord with an order of possession effective 1:00 p.m. on March 31, 2017 and I provide the Tenant with a monetary order for \$2,900.00.

Conclusion

The Parties have settled the dispute.

I grant the Landlord an order of possession effective 1:00 p.m. on March 31, 2017.

I grant the Tenant an order under Section 67 of the Act for **\$2,900.00**. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.

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: March 14, 2017

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Residential Tenancy Branch