



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding CENTURY 21 PRUDENTIAL
VANCOUVER EVICTION SERVICES
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPL FF

Introduction

This hearing was scheduled to address the landlords' application pursuant to the *Residential Tenancy Act* ("the Act") for an Order of Possession for Landlord's Use pursuant to section 55 and authorization to recover the filing fee for this application from the tenants pursuant to section 72.

Both parties (2 tenants and a landlord representative) attended the hearing and were given an opportunity to be heard, to present sworn testimony and to make submissions. The tenants confirmed receipt of the landlords' Application for Dispute Resolution and Notice of Hearing. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Background and Evidence

The landlord applied for an Order of Possession for Landlord's Use, providing oral submissions that the owner of the property intended to move into the rental unit. The landlord issued a 2 Month Notice to End Tenancy for Landlord's Use ("2 Month Notice") on February 22, 2017 and, after the 15 day response period to dispute the notice, the landlords applied for an Order of Possession. The landlords originally requested an Order of Possession effective March 31, 2017. The tenants testified that they required more time to vacate the rental unit. Ultimately, the parties were able to reach an agreement.

Analysis

Pursuant to section 63 of the *Act*, the 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. Given the

agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

The Parties mutually agreed as follows:

1. The landlords withdrew the original 2 Month Notice to End Tenancy for Landlord's Use dated February 22, 2017.
2. The parties entered into a mutual agreement to end the tenancy on April 30, 2017.
3. The tenants agreed to vacate the rental unit on or before April 30, 2017 at one in the afternoon.
4. The tenants agreed to pay monthly rent as required by section 26 of the Act by April 1, 2017.
5. The parties agreed that they will address the security deposit at the end of tenancy following the section 38 of the *Act* and any other sections relevant to the tenants' security deposit.
6. These terms comprise the full and final settlement of all aspects of this dispute for both parties.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Conclusion

To give effect to the settlement reached between the parties, the landlord is provided with a formal copy of an Order of Possession effective April 30, 2017. Should the tenant(s) 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: March 27, 2017

Residential Tenancy Branch