



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FF

Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution wherein the Tenants sought to cancel a 2 Month Notice to End Tenancy for Landlord's Use issued on April 26, 2017 (the "Notice") and to recover the filing fee.

Both parties called into 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 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.

The terms of their settlement follow.

Settlement and Conclusion

1. The tenancy shall end and the Tenants shall vacate the rental unit by no later than 1:00 p.m. on August 15, 2017.

2. The Landlord is granted an Order of Possession effective August 15, 2017. The Landlord must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. The Landlord shall be permitted access to the rental unit, on two separate occasions between the date of the hearing, June 19, 2017, and August 15, 2017 for the purposes of measuring the rental unit for renovations and to bring trades people to negotiate contracts and plan for the renovations. The Landlord must give a minimum of 48 hours' notice for this access.
4. The Tenants are entitled to compensation pursuant to section 51(1) of the *Residential Tenancy Act*.
5. The Tenants may give the Landlord 10 days' notice (pursuant to section 50 of the *Act*) to move from the rental unit prior to August 15, 2017, in which case the Tenants may be entitled to further compensation as provided for in section 50.

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: June 19, 2017

Residential Tenancy Branch