



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

This hearing was convened as a result of the tenant's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The tenant applied to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property dated April 21, 2017 (the "2 Month Notice").

The tenant and the landlord attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

Neither party raised any concerns regarding the service of documentary evidence.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on **September 1, 2017 at 1:00 p.m.** or earlier if the tenant is able to find a new home sooner.
2. The landlord is granted an order of possession effective **September 1, 2017 at 1:00 p.m.** The landlord must serve the tenant with the order of possession.
3. The parties agree that the landlord may attend to work on the rental property (grass mowing, watering, weeding etc.) on one of the following days per week (Saturday, Monday or Wednesday) from 3pm to 7pm (weather dependent). The landlord also agrees to text the tenant at least 3 hours in advance as a courtesy to the tenant.
4. The tenant withdraws her application in full as part of this mutually settled agreement and accepts the 2 Month Notice with a new effective date mutually agreed upon by the parties as September 1, 2017 at 1:00 p.m.

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties confirmed their understanding and agreement that this mutually settled agreement was made on a voluntary basis and that the parties understood the final and binding nature of their settlement agreement and that it was enforceable.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above as per section 63 of the *Act*.

The tenancy shall end on September 1, 2017. The landlord has been granted an order of possession effective September 1, 2017 at 1:00 p.m. This order must be served on the tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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 23, 2017

Residential Tenancy Branch