



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding HARTWIG INDUSTRIES  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNL, FF

### Introduction

This hearing convened as a result of Tenant's Application for Dispute Resolution wherein the Tenant requested an Order cancelling a 2 Month Notice to End Tenancy for Landlord's Use and to recover the filing fee.

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 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 Tenant shall vacate the rental unit by no later than **1:00 p.m. on October 15, 2017.**

2. The Landlord is granted an Order of Possession effective **1:00 p.m. on October 15, 2017**. The Landlord must serve the Order on the Tenant 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 to enter the rental unit between 11:00 a.m. and 1:00 p.m. on August 22, 2017 for the purposes of inspecting the rental unit.
4. The Tenant shall be permitted to reduce his next months' rent by \$50.00 representing recovery of one half of the filing fee.
5. The Tenant shall pay the sum of \$575.00 for his rent for September 2017. This sum includes a reduction for the filing fee as set out above, rent for October 1-15 2017, as well as the compensation provided for in section 51(1) of the *Residential Tenancy Act*. This sum does not preclude the Tenant from claiming compensation pursuant to section 51(2) of the *Act* should the Tenant wish to make such a claim.

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: August 16, 2017

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Residential Tenancy Branch