



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNC, OLC, O

Introduction:

This hearing was convened in response to an Application for Dispute Resolution filed by the Tenants in which the Tenants applied to cancel a Notice to End Tenancy for Cause; for an Order requiring the Landlord to comply with the *Residential Tenancy Act (Act)* or the tenancy agreement, and for “other”.

The Agent for the Tenants stated that on June 09, 2017 the Application for Dispute Resolution, the Notice of Hearing, and documents the Tenants submitted with the Application were sent to the Landlord, via registered mail. The Landlord acknowledged receipt of these documents and the documents were accepted as evidence for these proceedings.

On June 23, 2017 the Tenants submitted 13 pages of evidence to the Residential Tenancy Branch. The Agent for the Tenants stated that this evidence was served to the Landlord, via registered mail, on June 27, 2017. The Landlord acknowledged receiving this evidence and it was accepted as evidence for these proceedings.

On July 14, 2017 the Landlord submitted 14 pages of evidence to the Residential Tenancy Branch. The Landlord stated that this evidence was served to the Tenants, via registered mail, although he cannot recall the date of service. The Tenants acknowledged receiving this evidence and it was accepted as evidence for these proceedings.

Issue(s) to be Decided:

Should a Notice to End Tenancy for Cause be set aside and is there a need for an Order requiring the Landlord to comply with the *Act* or the tenancy agreement?

Background and Evidence:

At the outset of the hearing the Tenants and the Landlord mutually agreed to settle this dispute under the following terms:

- the parties mutually agree to end the tenancy on February 28, 2018; and
- the Tenants agree to pay rent on time for the duration of the tenancy.

This agreement was summarized for the parties on at least two occasions and all parties in attendance at the hearing indicated that they agreed to resolve this dispute under these terms.

The Landlord and the Tenants acknowledged that they understood they were not required to enter into this agreement and that they understood the agreement was final and binding.

Analysis:

This dispute has been settled in accordance with the aforementioned tenancy agreement.

Conclusion:

On the basis of the settlement agreement I grant the Landlord an Order of Possession that is effective at 1:00 p.m. on February 28, 2018. This Order may be served on the Tenants, filed with the Supreme Court of British Columbia, 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: August 02, 2017

Residential Tenancy Branch