



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OPL, FF

Introduction

This hearing dealt with cross applications. The tenant applied to cancel a *2 Month Notice to End Tenancy for Landlord's Use of Property* issued on May 28, 2017 and the landlord applied for an Order of Possession based upon the *2 Month Notice to End Tenancy for Landlord's Use of Property*. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

During the hearing the parties I was able to facilitate a mutual agreement between the parties in resolution of this matter. I have recorded the mutual agreement by way of this decision and the Order that accompanies it.

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

During the hearing the parties mutually agreed to the following terms in resolution of this matter:

1. The *2 Month Notice to End Tenancy for Landlord's Use of Property* issued on May 28, 2017 is withdrawn by mutual consent and is of no force or effect on either party.
2. The tenancy shall end effective September 30, 2017 by mutual agreement and the tenants must return vacant possession of the rental unit to the landlord by that date.

3. The tenants are not entitled to receive any tenant's compensation provided under section 51 of the Act.
4. The tenants remain obligated to pay rent to the landlord for the month of September 2017.

Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and I make the terms an Order to be binding upon both parties.

In recognition of the mutual agreement, I provide the landlord with an Order of Possession effective at 1:00 p.m. on September 30, 2017.

Conclusion

The parties reached a mutual agreement during the hearing in resolution of this matter. I have recoded the mutual agreement by way of this decision and the Order of Possession that accompanies it. The landlord is provided an Order of Possession that is effective at 1:00 p.m. on September 30, 2017.

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 09, 2017

Residential Tenancy Branch