



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      FF CNL

### Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's 2 Month Notice to End Tenancy for Landlord's Use of Property (the 2 Month Notice) pursuant to section 49;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

### Terms of Settlement

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agrees to extend the effective date of the 2 Month Notice to End Tenancy to October 31, 2017.
2. The tenant and landlord agree **that this tenancy will end no later than 1:00 p.m. on October 31, 2017**, and, the landlord will be granted an **Order of Possession** effective this date.

3. Pursuant to section 51 of the Act, the tenants are entitled to receive from the landlord on or before October 31, 2017, an amount that is equivalent of one month's rent payable under the tenancy agreement.
4. The landlord agrees to pay to the tenant \$50.00 as reimbursement of one half of the filing fee paid for this application on or before October 31, 2017. The tenant is granted a Monetary Order for this amount and the enforceable portion of this order will be reduced in accordance with any payments made to the tenant.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

#### Conclusion

I grant an Order of Possession to the landlord effective **1:00 p.m. on October 31, 2017**. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

Pursuant to section 67 of the Act, I grant the tenant a Monetary Order in the amount of **\$50.00**. Should the landlord fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court 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: September 25, 2017

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Residential Tenancy Branch