



# 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 tenants' Application for Dispute Resolution (the "Application") under the *Residential Tenancy Act* (the "Act"). The tenants applied to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property (the "2 Month Notice") however neglected to provide a copy of the 2 Month Notice.

The tenants 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.

### Settlement Agreement

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

1. The parties agree that the tenancy will end on **November 30, 2017 at 1:00 p.m.**
2. The landlord is granted an order of possession effective **November 30, 2017 at 1:00 p.m.** The landlord must serve the tenants with the order of possession.
3. The parties agree that the tenants' waive their right to 1 month of compensation related to the 2 Month Notice dated July 5, 2017 and with a corrected effective date of September 30, 2017, as the tenants are granted permission to continue to occupy the rental unit until November 30, 2017.
4. The parties agree that the tenants are permitted to move by October 31, 2017 and if they do so the landlord agrees to waive rent for November 2017.

5. The tenants agree to withdraw their Application in full as part of this mutually settled agreement.

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.

The landlord has been granted an order of possession which must be served on the tenants. The order of possession 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: October 5, 2017

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Residential Tenancy Branch