



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT CNL

Introduction

This hearing dealt with an Application for Dispute Resolution (the “Application”) filed by the Tenant under the *Residential Tenancy Act* (the “Act”), seeking more time to submit an application to cancel a Notice to End Tenancy, and to cancel a Two Month Notice to End Tenancy for Landlord’s Use of Property (the “Two Month Notice”).

The hearing was convened by telephone conference call and although the Tenant contacted the Residential Tenancy Branch (the “Branch”) indicating that they wished to cancel the hearing, both parties attended at the scheduled time and the hearing proceeded as scheduled.

At the request of the parties, copies of the Decision and any resulting Orders will be mailed to the appropriate parties at the addresses listed on the Application.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on several occasions during the hearing that there is no obligation to resolve the dispute through settlement, but that pursuant to section 63 of the *Act*, I could assist the parties to reach an agreement, which would be documented in my Decision and supporting order.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties agree the tenancy will end on February 28, 2018;
2. The Tenants agree to vacate the rental property by 1:00 p.m. on February 28, 2018;
3. The rights and obligations of the parties under the *Act* continue until the tenancy ends in accordance with this agreement;
4. The Landlord withdraws the Two Month Notice dated August 3, 2017, as part of this mutually agreed settlement; and

5. The Tenant withdraws their Application in full as part of this mutually agreed settlement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

In support of the settlement described above, and with the agreement of the parties, I grant the Landlord an Order of Possession, effective February 28, 2018. Should the Tenant fail to comply with this Order, this order may be filed in 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: November 20, 2017

Residential Tenancy Branch