



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, CNL

Introduction

This hearing was scheduled to deal with a tenant's application to cancel a *2 Month Notice to End Tenancy for Landlord's Use of Property* and orders for the landlord to comply with the Act, regulations or tenancy agreement. 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 turned their minds to resolving this matter by way of a mutual agreement. I was able to facilitate a mutual agreement between the parties and I have recorded the terms of their agreement by way of this decision and the Order of Possession that accompanies the decision

Issue(s) to be Decided

What are the terms of the mutual agreement?

Background and Evidence

The parties mutually agreed upon the following terms in resolution of this dispute:

1. The *2 Month Notice to End Tenancy for Landlord's Use of Property* is withdrawn and pursuant to a mutual agreement to end tenancy, the tenancy shall end on March 31, 2018 at which time the tenant will return vacant possession of the rental unit to the landlord.
2. The tenant is authorized to deduct \$300.00 from rent otherwise payable to the landlord for the month of March 2018 as compensation from the landlord.

3. The security deposit remains in trust for the tenant to be administered in accordance with the Act.

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 with an effective date of March 31, 2018 to serve and enforce upon the tenant.

In accordance with the mutual agreement and for added certainty, I authorize the tenant to deduct \$300.00 from rent otherwise payable to the landlord for March 2018.

Conclusion

The parties resolved this dispute by way of a mutual agreement that I have recorded by way of decision and the Order of Possession that accompanies the landlord's copy of this decision. The Order of Possession has an effective date of March 31, 2018 pursuant to the mutual agreement.

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: January 10, 2018

Residential Tenancy Branch