



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 Tenant's Application for Dispute Resolution. A hearing by telephone conference was held on February 7, 2018. The Tenant applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- cancellation of the Landlord's 2 Month Notice to End Tenancy (the Notice) pursuant to section 49.

Both parties attended the hearing and provided testimony. All parties were provided the opportunity to present evidence orally and in written and documentary form, and to make submissions to me.

Settlement Agreement

During the hearing, a mutual agreement was discussed and both parties came to agreement that the tenancy will end but the Tenant just needs some time to move out.

Pursuant to section 63 of the *Act*, the 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.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

- The Tenant will move out of the rental unit by **March 31, 2018, at 1pm.**

- The Tenant is at liberty to move out before this time.
- The Tenant agrees not to leave any of his personal belongings behind when he moves out.
- The Tenant will not be required to pay March 2018 rent.
- These terms comprise the full and final settlement of all aspects of this application, as listed above.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

To give effect to the settlement reached by the parties, I also grant the Landlord an Order of Possession effective March 31, 2018, at 1pm to reflect the end of tenancy.

Conclusion

In support of the agreement described above, the Landlord is granted an order of possession effective March 31, 2018, at 1pm and after service on the Tenant. The Landlord may serve and enforce this Order if the Tenant fails to move out as specified above.

This Order **must** be read in conjunction with the above settlement agreement and the Landlord **must not** seek to enforce this Order on the Tenant, unless the Tenant fails to meet the conditions of this 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: February 07, 2018

Residential Tenancy Branch