



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL, FFL

Introduction

This decision pertains to the Landlords' application for dispute resolution made on April 27, 2018, under the *Residential Tenancy Act* (the "Act"). The Landlords seek an order of possession for landlord's use of property, and, recovery of the filing fee.

The Landlords and Tenants attended the hearing before me, were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. A witness for the Tenants attended, and was affirmed.

The Landlord C.A. testified that they personally served both Tenants with the Notice of Dispute Resolution Proceeding package on April 27, 2018. No issues of service were raised by the parties.

Settlement Agreement

After the Landlords and Tenants testified, the opportunity for settlement was discussed with the parties. The parties were informed that while there was no obligation to resolve the dispute through settlement, I could assist the parties in reaching an agreement if they were desirous of such an approach.

Section 63 of the Act permits me to assist the parties or offer the parties an opportunity to settle their dispute. If the parties settle their dispute during the hearing, I record the settlement in the form of a decision or an order.

The parties agreed to settle this matter as follows:

1. The parties agree that the tenancy will end on May 30, 2018 at 11:59 PM.
2. The parties agree that the Landlords will be entitled to an order of possession effective May 31, 2018 at 12:00 AM.
3. The parties agree that the Landlords are required to refund the Tenants for the rent paid for the month of May 2018.

The parties confirmed during, and at the end of the hearing, that this settlement agreement was made voluntarily.

As the outcome was achieved through negotiation, I decline to award recovery of the filing fee to the Landlords.

Conclusion

I order the parties to comply with the terms of the settlement agreement as set out above.

In support of this settlement agreement, I grant the Landlords an order of possession effective May 31, 2018, and which must be served on the Tenants no later than May 28, 2018.

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: May 16, 2018

Residential Tenancy Branch