



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNC CNR LAT MNDC OPT FF

### Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution. A participatory hearing, by teleconference, was held on July 25, 2018. The Tenant applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

The Landlord and the Tenant both attended the hearing. All parties provided affirmed testimony. Both parties confirmed receipt of each other's documentary evidence.

### Settlement Agreement

During the hearing, a mutual agreement was discussed and the Tenant agreed to withdraw her application to cancel the Notices as long as she could have some extra time to move out, which the Landlords agreed to. Both parties agreed to the withdrawal of the Notices (10 Day and 1 Month Notices) issued thus far.

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 **July 31, 2018, at 1pm.**
- The Tenant is not required to pay June 2018 rent, which remains unpaid.
- The Tenant authorizes the Landlord to retain the security deposit in full.

- Both parties agree to allow the Tenant to withdraw her application in full, and to allow the Landlord to cancel the Notices to end tenancy issued thus far (1 Month Notice and two 10-Day Notices).
- These terms comprise the full and final settlement of all aspects of this dispute for both parties.

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 July 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 July 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 Tenants, unless the Tenants fail 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: July 25, 2018

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Residential Tenancy Branch