



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

Introduction

On April 23, 2018, the Tenant submitted an Application for Dispute Resolution under the Residential Tenancy Act ("the Act") seeking to cancel a 2 Month Notice to End Tenancy for Landlords Use of Property.

The matter was set for a conference call hearing. Both parties appeared at the hearing. The Landlord was assisted by legal counsel and an interpreter. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence, orally and in written and documentary form, and make submissions to me.

Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on **October 31, 2018, at 1:00 p.m.**
2. The Landlord is granted an order of possession effective **October 31, 2018, at 1:00 p.m.** The Landlord must serve the Tenant with the order of possession.
3. The Landlord withdraws the 2 Month Notice To End Tenancy For Landlord's Use Of Property dated April 6, 2018, in full as part of this mutually settled agreement.
4. The Tenant withdraws his Application for dispute resolution in full as part of this mutually settled agreement.
5. The parties agree that the Tenant will receive compensation of one month's free rent.
6. The parties agree that the Landlord will reimburse the Tenant for the cost of the \$100.00 filing fee.

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

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to make a decision. The parties confirmed that they agreed to the terms of this settlement and that this settlement agreement is final and binding.

Conclusion

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

The Landlord has been granted an order of possession effective October 31, 2018, at 1:00 p.m. This order must be served on the Tenant and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 30, 2018

Residential Tenancy Branch