



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, LRE, RR, FFT

Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution ("application") seeking remedy under the *Residential Tenancy Act* ("Act"). The tenants applied to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property dated July 31, 2018 ("2 Month Notice"), for a rent reduction, for a monetary claim of \$1,121.75, for an order to suspend or set conditions on the landlords' right to enter the rental unit, site or property, for an order directing the landlords to comply with the *Act*, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenants and the landlords attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me. The parties had the hearing process explained to them and the parties were also provided with the ability to ask questions during the hearing.

Neither party raised any concerns regarding the service of documentary evidence.

Both parties requested to have the decision sent by email and confirmed their email addresses during the hearing. The parties were informed that the decision will sent by email as requested and that the landlords would receive the order of possession by email.

Preliminary and Procedural Matter

Rule 2.3 of the Residential Tenancy Branch Rules of Procedure ("Rules") authorizes me to dismiss unrelated disputes contained in a single application. In this circumstance the tenants indicated several matters of dispute on the application, the most urgent of which is the application to cancel the 2 Month Notice. I find that not all the claims on the application are sufficiently related to be determined during this proceeding. I will, therefore, only consider the tenants' request to cancel the 2 Month Notice and the tenants' application to recover the cost of the filing fee at this proceeding. The balance of the tenants' application is **dismissed, with leave to re-apply**.

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 15, 2018 at 1:00 p.m.**
2. The landlords are granted an order of possession effective October 15, 2018 at 1:00 p.m.
3. The tenants agree to pay the landlords money for use and occupancy of the rental unit in the amount of **\$560.88** for October 1-15, 2018 inclusive, no later than **October 3, 2018.**
4. The tenants withdraw their application in full as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties confirmed their understanding and agreement that this mutually settled agreement was made on a voluntary basis and that the parties understood the final and binding nature of their settlement agreement and that it was enforceable.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above as per section 63 of the *Act*.

The tenancy shall end on October 15, 2018 at 1:00 p.m. The landlords have been granted an order of possession effective October 15, 2018 at 1:00 p.m. This order must be served on the tenants and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The tenants will pay the landlords \$560.88 for use and occupancy of the rental unit by October 3, 2018. The use and occupancy payment is for October 1-15, 2018 inclusive.

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: October 1, 2018

Residential Tenancy Branch