



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

CNL, FFT

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- Cancellation of Two Month Notice to End Tenancy for Landlord's Use ("Two Month Notice") under Section 47 of the *Act*;
- Authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing and were given a full opportunity to be heard, to present their affirmed testimony and to make submissions. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so, 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.

The following records this settlement as a decision:

1. The parties agreed that this tenancy will continue until June 30, 2019 at 1:00 P.M., by which time and date the tenants and any other occupants will have vacated the rental unit;
2. The month-to-month tenancy between the parties continues pursuant to the terms of the lease of October 1, 2016 and will end on June 30, 2019 at 1:00 P.M.;

3. The parties agreed that this tenancy ends by way of their agreement to end this tenancy and not based on the landlord's Two Month Notice dated August 19, 2018;
4. The security deposit of \$1,500.00 held by the landlord will be dealt with according to the *Act* at the end of the tenancy;
5. The landlord is granted an order of possession effective at 1:00 PM on June 30, 2019 in the event the tenants do not vacate the unit.
6. The tenants withdrew the request for reimbursement of filing fees; and
7. These terms comprise the full and final settlement of all aspects of this dispute for both parties.

The parties are still bound by all the rights, responsibilities, terms and conditions of the tenancy agreement, the *Act*, and the associated regulations.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this dispute.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

Conclusion

To give effect to the settlement between the parties, the landlord is granted an order of possession effective at 1:00 PM on June 30, 2019. The order of possession must be served upon the tenants. If the tenants do not comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that court.

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: October 10, 2018

Residential Tenancy Branch