



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL-4M, FFT

Introduction

This teleconference hearing was scheduled in response to an application by the Tenants under the *Residential Tenancy Act* (the “*Act*”) to cancel a Four Month Notice to End Tenancy for Demolition, Renovation, Repair or Conversion of Rental Unit (the “Four Month Notice”), and for the recovery of the filing fee paid for this application.

Two Tenants and a legal advocate for the Tenants were present for the teleconference hearing, as was the Landlord. The parties were affirmed to be truthful in their testimony.

The Tenants brought up settlement as an option at the outset of the hearing. The remainder of the hearing was spent discussing a possible settlement and the parties were able to come to an agreement which will be outlined below.

Preliminary Matters

A second tenant was present at the hearing and confirmed that he should be named as a tenant and applicant on the Application for Dispute Resolution. The tenancy agreement submitted into evidence confirms the party as a tenant. Therefore, the Application for Dispute Resolution was amended to name both tenants as a party to this dispute. This amendment was made pursuant to Section 64(3)(c) of the *Act*.

Settlement

In accordance with Section 63 of the *Act*, the parties may be assisted to settle their dispute and for a settlement agreement to be recorded in the form of a decision and order. The Tenants and advocate for the Tenants presented an initial settlement offer

which was then discussed by both parties. The parties were able to come to the following agreement:

1. The Tenants will move out of the rental unit by December 31, 2018 at 1:00 pm.
2. To uphold this agreement, the Landlord will be issued an Order of Possession, effective December 31, 2018 at 1:00 pm.
3. The parties agree that the tenancy is ending based on a Four Month Notice and therefore compensation in the amount of one month of rent is due to the Tenants pursuant to Section 51 of the *Act*.
4. As compensation under Section 51 of the *Act*, the parties agree that the Tenants do not owe rent for December 2018.

The Tenants and the Landlord confirmed that they were entering into this settlement agreement voluntarily and free from any pressure or coercion. They also confirmed their understanding that the agreement reached is final and binding and fully resolves the claims on this Application for Dispute Resolution.

Conclusion

The parties are ordered to follow the settlement agreement as outlined above. To uphold the settlement agreement, I grant an Order of Possession to the Landlord effective **on December 31, 2018 at 1:00 pm**. This Order must be served on the Tenants. Should the Tenants fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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: December 07, 2018

Residential Tenancy Branch