



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding ACE AGENCIES LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL, OLC, RP, FFT

Introduction

This hearing was scheduled to deal with a tenant's application to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property dated November 27, 2018; for orders for compliance; and, repair orders. Both parties appeared or were represented at the hearing.

At the outset of the hearing, I confirmed service of hearing documents and evidence upon each other.

I also determined that the landlord is already in receipt of an Order of Possession for unpaid rent that was issued on January 2, 2019 under the Direct Request procedure (file number referenced on the cover page of this decision) and that it has already been served upon the tenants. In the Direct Request proceeding decision, the Adjudicator found that the tenancy ended on December 18, 2018.

I informed the parties that I could not change or over-turn the decision issued on January 2, 2019 as decisions issued under the Act are final and binding, subject to review provisions.

The tenants stated that it is their intention to vacate the rental unit by January 31, 2019. The tenants withdrew the remedies sought in this application and requested this hearing time be used to reach an agreement with the landlord with respect to vacating the rental unit. The parties were able to reach a mutual agreement before me and, as a courtesy to the parties, I have recorded their agreement below:

1. The tenants shall return vacant possession of the rental unit to the landlord no later than 5:30 p.m. on January 31, 2019.

2. The parties shall meet at the property at 5:30 p.m. on January 31, 2019 for purposes of returning the keys to the property to the landlord and performing the move-out inspection together.
3. The landlord shall not enforce the Order of Possession prior to 5:30 p.m. on January 31, 2019.

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: January 17, 2019

Residential Tenancy Branch