



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, LAT, LRE, OLC, FF

Introduction

This matter dealt with an application by the Tenants to cancel a 2 Month Notice to End Tenancy for Landlord's Use of the Property, to change the locks on the unit, to restrict the Landlord's right of entry to the unit, for the Landlord to comply with the Act, regulations and tenancy agreement and to recover the filing fee for this proceeding.

The Tenant said his wife served the Landlord with the Application and Notice of Hearing (the "hearing package") by personal delivery on December 12, 2018. Based on the evidence of the Tenant, I find that the Landlord was served with the Tenants' hearing package as required by s. 89 of the Act and the hearing proceeded with both parties represented.

During the course of the hearing, the parties reached an agreement to settle these matters, on the following conditions:

1. the Tenants and the Landlord agreed to end the tenancy on March 31, 2019 at 1:00 p.m.
2. the Landlord agreed to compensate the Tenants \$2,350.00 on March 31, 2019 for moving out of the rental unit. The compensations is made up of \$1,500.00 as the equivalent of one months rent as required by a 2 Month Notice to End Tenancy, \$100.00 for the Tenants to recover the filing fee for this application and the Landlord agreed to return the security deposit of \$750.00 as part of this settlement agreement.
3. the Tenants agreed to move out of the unit by 1:00 p.m. on March 31, 2019.
4. the Landlord will receive an Order of Possession with and effective vacancy date of March 31, 2019.
5. the Tenants will receive a Monetary Order for \$2,350.00.

6. the Tenants are required to pay the February and March, 2019 rent as required by the tenancy agreement.
7. the Landlord is ordered to comply with the Act and issue a proper 24 hour Notice prior to entering the Tenants' rental unit.

Under section 63 (1) the director can assist parties or offer parties an opportunity to settle their dispute. Pursuant to section 63 of the Act the Landlord and the Tenants agreed to the above arrangement.

As no further action is required on this file, the file is closed.

Conclusion

The Parties agreed to end the tenancy on March 31, 2019 as per the above arrangement.

The Landlord has received an Order of Possession with an effective vacancy date of March 31, 2019.

The Tenants have received a Monetary Order for \$2,350.00.

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 21, 2019

Residential Tenancy Branch