



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNL-4M, RP, FFT

### Introduction

This hearing was convened as a result of the Tenants' Application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The Tenants applied to cancel a Four Month Notice to End Tenancy for Landlord's Use (the "Four Month Notice") dated March 21, 2019, an order for regular repairs, and for recovery of the filing fee.

The Tenants and the Tenants' advocate R.P attended the hearing. P.L as well as the Landlords' advocate L.M. also attended the hearing for the Landlords at the scheduled date and time. 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.

### Settlement Agreement

The opportunity for settlement was discussed with the parties during the hearing. During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end at 1:00 p.m. on July 31, 2019. The Landlord is provided with an Order of Possession effective **July 31, 2019, at 1:00 p.m.**
2. The parties agree that the Tenants are not required to pay rent to the Landlord between February 1, 2019 and July 31, 2019.
3. The parties agree that the Landlord will provide the Tenants with monetary compensation in the amount of \$4000.00 effective July 31, 2019. The parties agree that this amount includes the return of the Tenants' security deposit in full.
4. The parties agree that the Tenants are not required to clean the rental unit at the end of their tenancy, nor are they obligated to remove their shed from the rental property.
5. The parties agree that the Tenants will remove their personal possessions from the rental unit no later than 1:00 p.m. on July 31, 2019, which includes; kitchen cabinets, appliances (two fridges, freezer, portable dishwasher, washer, dryer) and outdoor plants that do not breach any city bylaws with their removal.

6. The Landlord agrees to provide the Tenants with a positive reference letter in support of their search for alternate accommodations, including reference checks by phone.
7. The Tenants agree to 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 were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

### Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The Landlords have been granted an order of possession effective July 31, 2019, at 1:00 p.m. This order must be served on the Tenants as soon as possible, and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

The Tenants have been granted a monetary order in the amount of \$4000.00. This order must be served on the Landlords as soon as possible, and may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: April 30, 2019

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Residential Tenancy Branch