



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **CNC FFT OLC**

### Introduction

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

- An order to cancel a One Month Notice to End Tenancy for Cause pursuant to section 47;
- Authorization to recover the filing fees from the landlord pursuant to section 72; and
- An order that the landlord comply with the Act, Legislation or Tenancy Agreement pursuant to section 62.

Both parties attended the hearing. As the landlord confirmed receipt of the tenant's Application for Dispute Resolution and evidentiary package, I find that the landlords were duly served with these documents in accordance with sections 88 and 89 of the Act.

### Settlement

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. This tenancy will end at 1:00 p.m. on June 30, 2019, by which time the tenants and any other occupant will have vacated the rental unit.
2. Both parties agree that this tenancy ends by way of this agreement and the One Month Notice to End Tenancy for Cause is cancelled and of no further force or effect.
3. The tenant agrees to pay to the landlord \$900.00 rent for the month of June, 2019.
4. The tenant agrees to allow the landlord to show the rental unit to prospective tenants on 24 hours notice, in accordance with the Act.
5. The rights and obligations of the parties under the *Act* continue until the tenancy ends in accordance with this agreement.
6. This settlement comprises the full and final settlement of the tenants' application.

The recovery of the filing fees was not discussed at the hearing. As there was no agreement as to the payment of the filing fee, I determine it is not recoverable by the tenant.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

### Conclusion

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue the attached Order of Possession. The parties agree that the tenants are to vacate the rental unit by 1:00 P.M. on June 30, 2019, and the landlord is to serve this Order of Possession immediately and enforce it as early as 1:01 PM on June 30, 2019, should the landlord choose to do so.

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: May 31, 2019

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Residential Tenancy Branch