



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, OLC, MT, FFT

### Introduction

This hearing was convened as the result of the tenants' application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenants applied for an order cancelling the landlord's 2 Month Notice to End Tenancy for Landlord's Use of the Property (the "Notice"), for an order requiring the landlord to comply with the Act, for more time to file an application to dispute the Notice, and for recovery of the filing fee paid for this application.

The parties appeared and each submitted some of their respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences and that I would record their settlement.

### **Settled Agreement**

The tenants and the landlord agreed to a mutual settlement under the following terms and conditions:

1. The tenants agree to vacate the rental unit by 5:00 p.m. on August 31, 2019;
2. The tenants understand the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenants fail to vacate the rental unit by 5:00 p.m., August 31, 2019, the landlord may serve the order of possession on the tenants for enforcement purposes;
3. The parties acknowledge that the tenants are entitled to withhold the monthly rent payment for August 2019, as compensation equivalent to one month's rent for having received the Notice; and
4. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenants' application and that no finding

is made on the merits of the said application for dispute resolution or the landlord's Notice.

### Conclusion

The tenants and the landlord have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit in the event the tenant fails to vacate the rental unit by August 31, 2019, at 5:00 p.m.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

This decision containing the recorded settlement of the parties 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: August 9, 2019

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Residential Tenancy Branch