



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, LRE, 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 order cancelling the landlords' One Month Notice to End Tenancy for Cause (the "Notice"), an order suspending or setting conditions on the landlord's right to enter the rental unit, and for recovery of the filing fee paid for this application.

The listed parties appeared and based upon the testimony of the tenant, a mediated discussion followed.

Settled Agreement

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

1. The tenants agree to vacate the rental unit by 1:00 p.m. on October 31, 2019;
2. The tenants understand the landlords 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 1:00 p.m., October 31, 2019, the landlords may serve the order of possession on the tenants for enforcement purposes; and
3. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the portion of the tenants' application dealing with their request to cancel the landlords' Notice and that no finding is made on the merits of the said application or the landlords' Notice.

Conclusion

The tenant and the landlord have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlords with an order of possession for the rental unit in the event the tenants fail to vacate the rental unit by 1:00 p.m. on October 31, 2019.

As the tenancy is ending, I now dismiss the portion of the tenants' application for an order suspending or setting conditions on the landlord's right to enter the rental unit, without leave to reapply, as that issue is now moot.

As this application was settled, I decline to allow the tenants recovery of their filing fee.

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: October 8, 2019

Residential Tenancy Branch