



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

**FFL OPC
CNC FFT OLC**

Introduction

This hearing dealt with application filed by both the landlord and the tenants pursuant to the *Residential Tenancy Act* ("Act").

The landlord applied for:

- Authorization to recover the filing fee for this application from the tenants pursuant to section 72; and
- An Order of Possession for Cause pursuant to sections 47 and 55.

The tenants applied for:

- An order to cancel a One Month Notice to End Tenancy for Cause ("Notice") pursuant to section 47;
- Authorization to recover the filing fees from the landlord pursuant to section 72; and
- An order for the landlord to comply with the *Act*, Regulations and/or tenancy agreement pursuant to section 62.

Both of the tenants attended the hearing and were represented by their counsel, AD. The landlord attended the hearing and was represented by his counsel, CI. The parties acknowledged the exchange of one another's Application for Dispute Resolution Proceedings Packages and evidence and stated there were no concerns with timely service of documents. Both were prepared to deal with the matters of the applications.

Settlement Reached

At the commencement of the hearing, counsel for the tenants advised me that the tenants had vacated the rental unit on November 29, 2019. The tenants did not object to an Order of Possession in favour of the landlord.

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

1. There will be a mutual agreement to end the tenancy effective at 1:00 p.m. on December 6, 2019.
2. This settlement comprises the full and final settlement of both the landlord's and the tenants' applications.

Conclusion

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue the attached Order of Possession to the landlord effective at 1:00 p.m. on December 6, 2019.

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: December 06, 2019

Residential Tenancy Branch