



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, CNC, LRE, OLC, FFT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on December 2, 2019, wherein the Tenant sought the following relief:

- an order canceling an undated 1 Month Notice to End Tenancy for Cause;
- an order canceling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued on December 2, 2019 (the "10 Day Notice");
- an order restricting the Landlord's right to enter the rental unit;
- an Order that the Landlord
 - comply with the *Residential Tenancy Act*, the *Residential Tenancy Regulation*, or the tenancy agreement; and,
 - be restricted from entering the rental unit.

The hearing was conducted by teleconference at 9:30 a.m. on January 27, 2020. Both parties called into the hearing and were given a full opportunity to be heard, to present their affirmed testimony, to present their evidence orally and in written and documentary form and make submissions to me.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

The terms of their settlement follow.

Settlement and Conclusion

1. The tenancy shall end and the Tenant shall vacate the rental unit by no later than **1:00 p.m. on February 29, 2020.**
2. The Landlords are granted an Order of Possession effective **1:00 p.m. on February 29, 2020.** The Landlords must serve the Order on the Tenant as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. Pursuant to the 2 Month Notice to End Tenancy for Landlord's Use, issued on December 16, 2019, the Tenant shall not be required to pay rent for the month of February 2020 as compensation pursuant to section 51(1) of the *Act*.

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: January 27, 2020

Residential Tenancy Branch