



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL

Introduction

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

- cancellation of the landlord's Two Month Notice to End Tenancy for Landlord's Use of Property (the "**Notice**") pursuant to section 49.

Tenant DA attended the hearing on behalf of herself and tenant ST. The landlord attended the hearing and was assisted by her son KV. All were given a full opportunity to be heard, to present their affirmed testimony, to make submissions, and to call witnesses.

Analysis

Pursuant to section 63 of the Act, an 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, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

The parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The landlord will place heavy plywood on the rental unit's driveway to allow vehicles to use it and a storage container to be delivered on in by January 10, 2020.
2. The landlord will return the tenants' January 2020 rent cheque.
3. The tenants are not required to pay rent for February 2020.

4. The landlord will pay \$500 to the tenants when the storage container is delivered to the rental unit.
5. The tenants will provide vacant possession of the rental unit to the landlords on or before February 7, 2020 at 1:00 pm.
6. The Notice is cancelled.

These particulars comprise the full and final settlement of all aspects of this dispute for the parties. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final, and binding, which settle all aspects of this dispute between these parties.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the tenants and the landlord and as discussed with them during the hearing, I issue the attached order of possession ordering the tenants to provide vacant possession of the rental unit to the landlord on or before February 7, 2020 at 1:00 pm.

Should the tenants fail to comply with this order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

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 3, 2020

Residential Tenancy Branch