



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL, CNL-MT

Introduction

This was a cross application hearing that dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for an Order of Possession for Landlord's use, pursuant to sections 49 and 55(2)(b) of the *Act*.

This hearing also dealt with the tenant's application pursuant to the *Act* for cancellation of the landlord's Two Month Notice to End Tenancy for Landlord's use ("the Notice") issued pursuant to section 49, and an order for additional time to dispute the Notice, pursuant to section 66.

Both parties attended the hearing. The tenant was assisted by advocate GG.

Settlement

Pursuant to section 63 of the *Act*, the 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.

Both parties agreed to the following final and binding settlement of all issues listed in their applications for dispute resolution:

1. The tenant agrees to provide the landlord with vacant possession of the subject rental property by 1:00 P.M. on May 09, 2020.
2. The landlord will pay the tenant the amount of \$1,700.00 on May 09, 2020. This amount includes the one month rent compensation for end of tenancy due to

landlord's use of property and an extra amount of \$500.00 to compensate the security deposit paid by the tenant to the previous landlord in cash.

Conclusion

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

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue an Order of Possession to the landlord, which is to take effect by 1:00 P.M. on May 09, 2020. If the landlord serves this Order to the tenant and the tenant fails to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia. Pursuant to section 67 of the Act, I grant the tenant a Monetary Order in the amount of \$1,700.00, effective on May 09, 2020.

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: April 28, 2020

Residential Tenancy Branch