



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, FFT

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the *Act*), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- cancellation of the Two Month Notice to End Tenancy for Landlord's use (the Notice), issued pursuant to section 49 of the Act;
- an order for the landlord to comply with the Act, the Residential Tenancy Regulation (the Regulation) and/or tenancy agreement, pursuant to section 62 of the Act; and
- an authorization to recover the filing fee for this application, pursuant to section 72 of the Act.

Both parties attended the hearing. The landlord was assisted by advocate SC and the tenant was assisted by advocate GR. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

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 regarding this application only.

Both parties agreed to the following final and binding settlement of all issues listed in this application 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 September 30, 2020.

- 2 The rent payment due on August 01, 2020 will be paid by the tenant by August 11, 2020. The rent payment due on September 01, 2020 will not be paid as a compensation under section 51(1) of the Act.

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, pursuant to section 63(2) of the Act, I issue an Order of Possession to the landlord, which is to take effect by 1:00 P.M. on September 30, 2020. If 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.

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: August 10, 2020

Residential Tenancy Branch