



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes For the tenant: CNC, FFT
For the landlord: OPC

Introduction

This was a cross application hearing that dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- cancellation of the One Month Notice to End Tenancy for Cause ("the Notice"), pursuant to section 47 of the *Act*; and
- an authorization to recover the filing fee for this application, pursuant to section 72.

This hearing also dealt with the landlord's application pursuant to the *Act* for an order for possession under a One Month Notice to End Tenancy for Cause ("the Notice") pursuant to sections 47 and 55 of the *Act*.

Both parties attended the hearing. 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 both applications for dispute resolution:

1. The tenants agree to provide the landlord with vacant possession of the subject rental property by 1:00 P.M. on October 01, 2020.
2. The tenants will pay the rent due on September 01, 2020.

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 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 October 01, 2020. The landlord is provided with this Order in the above terms and must serve it on the tenants as soon as possible in accordance with the Act. If 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: August 13, 2020

Residential Tenancy Branch