



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNL, OLC**

Introduction

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

An order to cancel a Two Month Notice to End Tenancy for Landlord's Use of Property pursuant to section 49; and

An order for the landlord to comply with the Act, Regulations and/or tenancy agreement pursuant to section 62.

Both the tenant and the landlord attended the hearing. As both parties were in attendance, service of documents was confirmed. The landlord confirmed receipt of the tenant's application for dispute resolution and the parties acknowledged the exchange of evidence and stated there were no concerns with timely service of documents. Both parties were prepared to deal with the matters of the application.

Preliminary Issue

The tenant testified she seeks compensation from the landlord for issues she experienced during the tenancy. I advised the tenant that in accordance with Rule 6.2 of the Residential Tenancy Branch Rules of Procedure, this hearing is limited to the matters claimed on the application unless the arbitrator allows the applicant to amend her application. I advised the tenant that she has the right to file another application for compensation at a later date, should she feel the need to do so.

Settlement Reached

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, turned their minds to compromise and achieved a resolution of their dispute.

Having been advised that the landlord has compensated the tenant with the equivalent of one month's rent in accordance with section 51 of the Act , both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. The tenancy will end at 1:00 p.m. on August 31, 2020 in accordance with the notice to end tenancy, by mutual agreement.
2. The parties will conduct a condition inspection report at 1:00 p.m. on August 31, 2020.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

I remind the parties that the rights and obligations of both parties under the Act continue until the tenancy ends.

Conclusion

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue an Order of Possession to the landlord. The landlord is to serve this Order of Possession upon the tenant immediately and enforce it as early as 1:00 p.m. on August 31, 2020, should the landlord be required to do so.

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 24, 2020

Residential Tenancy Branch