



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MNR

Introduction

This hearing dealt with the tenants' application for dispute resolution under the Residential Tenancy Act (Act) for:

- an order cancelling a One Month Notice to End Tenancy for Cause (Notice); and
- compensation for the cost of emergency repairs.

The parties appeared and each submitted some of their respective positions.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences and that I would record their settlement.

As a preliminary issue, the parties were advised that the portion of the tenants' application seeking a monetary order for unpaid rent is unrelated to the primary and most urgent issue listed in the application, which was the dispute of the Notice. I therefore only dealt with the request to cancel the Notice. The balance of the tenants' application is dismissed, **with leave to re-apply**.

Settled Agreement

Pursuant to section 63 of the Act, I record the parties' agreement in this my Decision. As the parties resolved matters by agreement, I make no findings of fact or law with respect to tenants' application or the landlords' Notice.

The parties understood the nature of this full and final settlement of this matter. The terms of the settlement are as follows:

1. The tenancy shall end not later than 1:00 p.m. on September 30, 2020.

2. The landlords are granted an Order of Possession effective for 1:00 p.m. on September 30, 2020. If the tenants do not voluntarily comply with the Order of Possession, the Order must be served on the tenants and may be enforced in the Supreme Court of British Columbia.
3. The tenants may vacate the rental unit earlier than September 30, 2020, in the event they secure other accommodation.

Conclusion

The tenants and the landlords have reached a settled agreement of the tenants' application seeking cancellation of the One Month Notice to End Tenancy for Cause.

This settlement agreement was reached in accordance with section 63 of the Residential Tenancy Act. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

This decision containing the parties' settled agreement 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