



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Vivagrand Development (Baillie)
Corp and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNC CNR-MT LAT FF

Introduction

This hearing was convened as a result of the Tenants' Application for Dispute Resolution. A participatory hearing, by teleconference, was held on March 19, 2021. The Tenants applied for multiple remedies, pursuant to the *Residential Tenancy Act* (the "Act").

The Landlords and one of the Tenants attended the hearing. All parties provided testimony.

Settlement Agreement

During the hearing, a mutual agreement was discussed and the Tenants agreed to withdraw their application on all of the above grounds. Both parties agreed to cancel the One Month Notice as well as the 10 Day Notice and end the tenancy by way of this mutual agreement in order to have extra time to move out.

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.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

- The Tenants will move out of the rental unit by **April 7, 2021, at 1pm**.
- Both parties agree to cancel the One Month Notice, issued in December 2020, and the 10 Day Notice issued in October 2020.

- These terms comprise the full and final settlement of all aspects of this dispute for both parties.
- This settlement does not include any monetary amounts owing. This settlement agreement only settles when the tenancy will end.
- Any claim for monetary compensation will require a separate application.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Conclusion

In support of the agreement described above, the landlord is granted an order of possession effective April 7, 2021 at 1pm and after service on the tenants. The Landlord may serve and enforce this Order if the Tenants fail to move out as specified above.

This Order **must** be read in conjunction with the above settlement agreement and the Landlord **must not** seek to enforce this Order on the Tenants, unless the Tenants fail to meet the conditions of this agreement.

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: March 19, 2021

Residential Tenancy Branch