



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Action Property  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNC, CNR

### Introduction

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

- cancellation of the One Month Notice to End Tenancy for Cause, pursuant to section 47; and
- cancellation of the 10 Day Notice to End Tenancy for Unpaid Rent, pursuant to section 46.

The tenants and an agent for the landlord attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

### Analysis

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.

Both parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenants agree to withdraw this application for dispute resolution.
2. The landlord agrees to cancel the One Month Notice to End Tenancy for Cause dated December 27, 2020.

3. The landlord agrees to cancel the 10 Day Notice to End Tenancy for Unpaid Rent dated February 2, 2021.
4. The tenants agree to move out of the subject rental property by 1:00 p.m. on April 30, 2021 in accordance with the Two Month Notice to End Tenancy for Landlord's Use of Property dated February 18, 2021.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final and binding, which settle all aspects of this dispute.

### Conclusion

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue the attached Order of Possession effective at 1:00 p.m. on April 30, 2021, to be served on the tenants if they do not comply with term 4 of the settlement agreement. Should 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: March 23, 2021

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Residential Tenancy Branch