



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes DRI, CNC, OLC

Introduction

This hearing 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, pursuant to section 47;
- an Order directing the landlord to comply with the *Act*, regulation or tenancy agreement, pursuant to section 62; and
- disputation of a rent increase from the landlord, pursuant to section 42.

Both parties 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 landlords agree to cancel the One Month Notice to End Tenancy for Landlord's Use of Property dated December 20, 2020.

2. The tenant agrees to move out of the subject rental property by 1:00 p.m. on April 30, 2021.
3. The landlords agree to suspend and renovations and repairs to the yard and basement of the subject rental property until after the tenant moves out.
4. The landlords agree to return the tenant's security deposit, in the amount of \$987.00 and the tenant's pet damage deposit, in the amount of \$987.00 (the "deposits") on April 30, 2021 unless the tenant has caused significant damage to the subject rental property in which case the deposits will be dealt with in accordance with the *Act*.

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, I issue the attached Order of Possession, effective at 1:00 p.m. on April 30, 2021, which should be served on the tenant if the tenant fails to comply with term 2 of the settlement agreement. Should the tenant 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

Residential Tenancy Branch