



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL

### Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for cancellation of the Two Month Notice to End Tenancy for Landlord's Use (the Notice), issued pursuant to section 49.

Both parties attended the hearing. The landlord was assisted by property manager MH. The tenant was assisted by advocate KD. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

At the outset of the hearing both parties affirmed they understand it is prohibited to record this hearing.

### Settlement

Pursuant to section 63 of the Act, an 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 the issue listed in this application for dispute resolution:

1. The tenant agrees to give vacant possession of the rental unit to the landlord by August 31, 2021 at 1:00 P.M.
2. The tenant will pay rent on June 01 and July 01, 2021.
3. The tenant will not pay rent on August 01, 2021, in accordance with section 51(1) of the Act.
4. The landlord will pay the tenant \$1,000.00 on August 31, 2021.

## Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect by 1:00 P.M. on August 31, 2021. The landlord is provided with this order in the above terms and must serve it on the tenant in accordance with the Act. If the tenant fails to comply with this Order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

To give effect to the settlement reached between the parties, pursuant to section 63(2) of the Act, I grant the tenant a monetary order in the amount of \$1,000.00. The monetary order may be served if the landlord defaults the August 31, 2021 payment. If the landlord fails to comply with the order the tenant may file the order in the Provincial Court (Small Claims) to be enforced as an order of that Court.

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: May 17, 2021

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Residential Tenancy Branch