



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

CNL, OLC, FFT

Introduction

The hearing was convened in response to the Tenants' Application for Dispute Resolution, in which the Tenants applied to set aside a Two Month Notice to End Tenancy, for an Order requiring the Landlord to comply with the *Residential Tenancy Act (Act)*, and to recover the filing fee from the Landlord for the cost of the Application for Dispute Resolution.

Issue(s) to be Decided

Should the One Month Notice to End Tenancy for Cause be set aside?

Background and Evidence

Prior to discussing service of documents in regard to these proceedings, both parties indicated their wish to enter a settlement agreement to resolve all issues in dispute at these proceedings, under the following terms:

- The Two Month Notice to End Tenancy for Landlord's Use will be "cancelled";
- The tenancy will continue on a "month-to-month" basis, with the same terms, including amount of rent due; and
- The Tenants may reduce one monthly rent payment by \$50.00 in compensation for the fee paid to file this Application for Dispute Resolution.

The aforementioned settlement agreement was summarized for the parties on at least two occasions. The Agent for the Landlord and the Tenant clearly indicated their intent to resolve this dispute under these terms.

The Agent for the Landlord and the Tenant each acknowledged that they understood they were not required to enter into this agreement and that they were doing so voluntarily.

The Agent for the Landlord and the Tenant each acknowledged that they understood the agreement was final and binding.

Analysis

All issues in dispute at these proceedings have been settled in accordance with the aforementioned terms.

Conclusion

This tenancy shall continue in accordance with the aforementioned settlement 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: September 16, 2021

Residential Tenancy Branch