



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Dispute Codes

Landlords' Application: OPL FFL  
Tenants' Application: CNL FFT

### Introduction

This hearing was convened as a result of an Application for Dispute Resolution (application) by both parties seeking remedy under the *Residential Tenancy Act* (Act). The landlords applied for an order of possession based on a 2 Month Notice to End Tenancy for Landlord's Use of Property (2 Month Notice) and for the filing fee. The tenants applied to cancel the 2 Month Notice and for the filing fee.

Tenant DR (tenant), counsel for the tenants, PL (tenants' counsel) and counsel for the landlords, JA (landlords' counsel) attended the teleconference hearing. Counsel for both parties and the tenant requested to **withdraw their respective applications in full** as the parties had settled their matters prior to the hearing. Therefore, I make no findings on the merits of the matter. Both parties are at liberty to reapply. This decision does not extend any applicable time limits under the Act.

### Preliminary and Procedural Matters

The parties were informed at the start of the hearing that recording of the dispute resolution is prohibited under the Residential Tenancy Branch (RTB) Rules of Procedure (Rules) Rule 6.11. The parties were also informed that if any recording devices were being used, they were directed to immediately cease the recording of the hearing. In addition, the parties were informed that if any recording was surreptitiously made and used for any purpose, they will be referred to the RTB Compliance Enforcement Unit for the purpose of an investigation under the Act. Neither party had any questions about my direction pursuant to RTB Rule 6.11.

In addition, the parties confirmed their respective email addresses at the outset of the hearing and stated that they understood that the decision and any applicable orders would be emailed to them.

### Conclusion

Both parties were permitted to withdraw their respective applications in full as they have reached a settlement agreement prior to the hearing and confirmed that they did not need assistance under section 63 of the Act to record their settlement at the hearing.

Given the above, both parties were advised that the filing fees would not be granted as they parties reached a settlement agreement prior to the hearing.

The decision will be emailed to both parties.

This decision is final and binding on the parties, unless otherwise provided under the *Act*, and 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: October 20, 2021

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Residential Tenancy Branch