



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC

Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution, filed on July 23, 2021, in which the Tenants sought an Order canceling a 2 Month Notice to End Tenancy for Landlord's Use, issued on July 11, 2021 (the "2 Month Notice") as well as an Order that the Landlord comply with the *Residential Tenancy Act* (the "Act"), the *Residential Tenancy Regulation*, and/or the residential tenancy agreement.

The hearing of the Tenants' Application was scheduled for 11:00 a.m. on November 23, 2021. Both parties called into the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

The terms of their settlement follow.

1. The tenancy shall end and the Tenants shall vacate the rental unit by no later than **1:00 p.m. on December 1, 2021.**
2. The Landlord is granted an Order of Possession effective **1:00 p.m. on December 1, 2021.** The Landlord must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
3. By no later than **1:00 p.m. on December 1, 2021** the Landlord shall reimburse the Tenants' \$1,125.00 November rent payment pursuant to section 51(1) of the *Act*.
4. The above settlement is without prejudice to the Tenants right to claim compensation pursuant to section 51(2) of the *Act*.

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: November 23, 2021

Residential Tenancy Branch