



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "**Act**") for:

- the cancellation of the Two Month Notice to End Tenancy for Landlords' Use of Property (the "**Notice**") pursuant to section 49; and
- authorization to recover the filing fee for this application from the landlords pursuant to section 72.

All parties attended the hearing. The landlords were assisted by a friend ("**EC**").

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.

The parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenants will provide the landlords with vacant possession of the rental unit on or before April 1, 2022 at 1:00 pm.
2. The tenants are not required to pay any rent for March 2022.
3. If the tenants vacate the rental unit prior to April 1, 2022, the landlords will refund them rent paid on a *pro rata* basis, in addition to the tenants not having to pay rent for March 2022. (For clarity, if the tenants vacate the rental unit on March 15, 2022, the landlord will refund them an amount equal to 50% of the monthly rent in addition to the tenants not having to pay any rent on March 1, 2022.)

These particulars comprise the full and final settlement of all aspects of this dispute. The 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 application.

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 at the hearing, I issue the attached order of possession which orders that the tenants provide vacant possession of the rental unit to the landlords by 1:00 pm on April 1, 2022

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: February 10, 2022

Residential Tenancy Branch