



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Goluboff & Mazzei  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      CNL, RR, RP, LRE  
                             OPL, FFL

### Introduction

This hearing was convened by way of conference call concerning applications made by the tenants and by the landlords.

The tenants have applied for an order cancelling a notice to end the tenancy for landlord's use of property; an order reducing rent for repairs, services or facilities agreed upon but not provided; an order that the landlords make repairs to the rental unit or property; and an order limiting or setting conditions on the landlords' right to enter the rental unit. The application names 1 landlord and Legal Counsel for the landlords as respondents.

The landlords have applied for an Order of Possession for landlord's use of the property and to recover the filing fee from the tenants for the cost of the application. The application names both tenants as respondents, and 2 landlords as applicants.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. the landlords will have an Order of Possession effective at 1:00 p.m. on April 30, 2022 and the tenancy will end at that time;
2. the tenants will pay no rent for the months of February, March or April, 2022;
3. the landlords will pay the sum of \$5,000.00 into the trust account of the law firm, Goluboff and Mazzei by no later than March 18, 2022, with an undertaking of the landlords' Legal Counsel to pay that amount to the tenants on May 2, 2022, on the condition that the tenants vacate the rental unit by no later than April 30, 2022;

4. the landlords' Legal Counsel will send an email to the tenants to confirm that the funds have been received from the landlords;
5. the tenants will attend at the office of the landlords' Legal Counsel, @ Suite #201 – 585 - 16<sup>th</sup> Street, West Vancouver, BC V7V 3R8 on May 2, 2022 to collect the \$5,000.00 held in trust, if the tenants vacate the rental unit by no later than April 30, 2022.

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.

Since this matter has settled, I decline to order that the landlords recover the filing fee from the tenants.

Since the tenancy is ending, I dismiss the application of the tenants in its entirety.

### Conclusion

For the reasons set out above, and by consent, I hereby grant an Order of Possession in favour of the landlords effective at 1:00 p.m. on April 30, 2022 and the tenancy will end at that time.

I order the parties and Legal Counsel for the landlords to comply with the settlement agreement as set out above.

The tenants' application is hereby dismissed.

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: March 15, 2022

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Residential Tenancy Branch