



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC OLC FFT

Introduction

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

- cancellation of the landlord's 1 Month Notice to End Tenancy for Cause (the "1 Month Notice") pursuant to section 47;
- an order requiring the landlord to comply with the *Act*, regulation or tenancy agreement pursuant to section 62;
- authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing and were given a full opportunity to be heard, to present sworn testimony, to make submissions and to call witnesses.

At the outset of the hearing the hearing the parties informed me that they have come to a full resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may record the terms of a settlement entered by parties in the form of a decision or an order.

Both parties agreed to the following final and binding settlement of all issues currently under dispute at this time:

1. The parties agree that the 1 Month Notice of December 8, 2021 is cancelled and of no further force or effect.
2. The tenant withdraws their present application in its entirety.
3. The parties agree that this tenancy will continue pursuant to the present tenancy agreement until ended in accordance with the *Act*.
4. The parties agree that the landlord will be issued an Order of Possession effective 2 days after service, to be used only in the event that there are subsequent conflicts between the parties.
5. Both parties agree that this settlement agreement constitutes a full, final and binding resolution of the application at this hearing.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

Conclusion

To give effect to the settlement reached between the parties and as advised to both parties during the hearing, I issue the attached Order of Possession to be served on the tenant by the landlord. Should the tenants fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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 29, 2022

Residential Tenancy Branch