



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Polestarproperty Management
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL, FFT

Introduction

This hearing was convened in response to an application by the Tenants pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 49; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing and were given full opportunity under oath to be heard, to present evidence and to make submissions. During the hearing the Parties reached a settlement agreement. The Parties conducted a final review for accuracy of the terms of the mutual agreement reached by Parties during the hearing. The Parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that they understood the nature of the full and final settlement of these matters.

Agreed Facts

The tenancy began September 1, 2018. Rent of \$2,000.00 is payable on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit of \$1,000.00. The Landlord gave the Tenants a two month notice to end tenancy for landlord’s use dated March 3, 2022 (the “Notice”) by mail on March 4, 2022. The Tenants received the Notice. The reason stated on the Notice is that the Landlord or the Landlord’s spouse will occupy the unit. During the hearing the Tenants were given the current address of the Landlord Owner who will be moving into the unit.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The effective move-out date of the Notice is extended to August 31, 2022;**
- 2. The Tenants will vacate the unit by 1:00 p.m. on August 31, 2022; and**
- 3. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement I grant the Landlord an order of possession effective 1:00 p.m. on August 31, 2022.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective at 1:00 p.m. on August 31, 2022. The Tenants must be served with this **Order of Possession**. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: July 07, 2022

Residential Tenancy Branch