



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNL, DRI, FFT  
                              OPL-4M, FFL

### Introduction

This hearing was convened by way of conference call concerning applications made by the tenant and by the landlord.

The tenant's application disputes a rent increase, and seeks an order cancelling a notice to end the tenancy for landlord's use of property as well as recovery of the filing fee from the landlord for the cost of the application.

The landlord seeks an Order of Possession for demolition or conversion of the rental unit and to recover the filing fee from the tenant.

The tenant attended the hearing with an agent, and 2 agents for the landlord also attended.

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

1. the landlord will have an Order of Possession effective at 1:00 p.m. on September 30, 2022 and the tenancy will end at that time;
2. the tenants will have a monetary order for overpayment of rent in the amount of \$3,000.00;
3. The tenants will not be required to pay rent for the month of September, 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 the parties have settled this dispute, I decline to order that either party recover the filing fees.

Conclusion

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

By consent, I hereby grant a monetary order in favour of the tenants as against the landlord pursuant to Section 67 of the *Residential Tenancy Act* in the amount of \$3,000.00.

This order is final and binding and may be enforced.

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: September 02, 2022

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Residential Tenancy Branch