



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

COM_LLD
TENANT_INFO

DECISION

Dispute Codes CNL, OLC, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenants seeking an order cancelling a notice to end the tenancy for landlord's use of property; an order that the landlord comply with the *Residential Tenancy Act*, regulation or tenancy agreement; and to recover the filing fee from the landlord for the cost of the application.

Both tenants and the landlord attended the hearing, and the landlord was accompanied by Legal Counsel.

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 November 1, 2022;
2. No rent will be payable for the month of October, 2022;
3. The tenants will have a monetary order in the amount of \$4,500.00, which will be paid by the landlord within 24 hours of receiving vacant possession, but will not be payable unless the landlord receives vacant possession of the rental unit on or before November 1, 2022;
4. The parties will participate in a move-out condition inspection and make a report thereof on November 1, 2022 at 2:00 p.m. or sooner if agreed by the parties.

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 the tenants recover the filing fee from the landlord.

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 November 1, 2022 and the tenancy will end at that time.

I further order, by consent that the tenants will not be required to pay any rent for the month of October, 2022.

I further order, by consent that the parties participate in a move-out condition inspection and make a report thereof on November 1, 2022 at 2:00 p.m. or sooner if agreed by the parties, upon the landlord scheduling the inspection.

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 \$4,500.00, and I order that the tenants not enforce it or attempt to enforce it unless the tenants have provided the landlord with vacant possession of the rental unit on or before November 1, 2022.

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 05, 2022

Residential Tenancy Branch