



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, OLC, AAT

### Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the Act), I was designated to hear an application regarding a residential tenancy dispute. The tenants applied on May 6, 2022 for:

- an order to cancel a One Month Notice to End Tenancy for Cause, dated April 29, 2022;
- an order for the landlord to comply with the Act, regulation, and/or tenancy agreement; and
- an order for the landlord to allow access to the unit or site for the tenants and/or their guests.

Rule of Procedure 2.3 states:

**2.3 Related issues** Claims made in the application must be related to each other. Arbitrators may use their discretion to dismiss unrelated claims with or without leave to reapply.

As they are not related to the central issue of whether the tenancy would continue, I dismissed, with leave to reapply, the tenants' application for an order for the landlord to comply with the Act, regulation, and/or the tenancy agreement; and an order for the landlord to allow access to the unit or site for the tenants and/or their guests.

### Settlement

Pursuant to section 63 of the Act, the arbitrator may assist the parties to settle their dispute, and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

I advised the parties there is no obligation to resolve the dispute through settlement and that if either party did not wish to resolve this matter through settlement, I would hear testimony and make a decision based on the evidence before me. The parties were able to turn their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following binding settlement term:

- 1) The tenants will deliver full and peaceable vacant possession of the rental unit to the landlords by 1:00 p.m. on December 31, 2022.

Both parties testified at the hearing that they understood and agreed to the above term, free of any duress or coercion. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the tenants' application before me.

In support of the settlement, I grant the landlords an order of possession effective at 1:00 p.m. on December 31, 2022.

The parties are reminded that their respective rights and responsibilities will continue until the tenancy ends in accordance with this agreement.

### Conclusion

The landlords are granted an order of possession effective December 31, 2022 at 1:00 p.m.

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 09, 2022

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Residential Tenancy Branch