



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Code            CNL

### Introduction

This hearing was convened as a result of the tenants' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The tenants applied to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property dated May 31, 2022 (2 Month Notice). The filing fee was waived.

The tenants and two of the landlords, JenS and JesS (landlords) attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me.

Neither party raised any concerns regarding the service of documentary evidence. Words utilizing the singular shall also include the plural and vice versa where the context requires.

### **Settlement Agreement**

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on November 30, 2022 at 5:00 p.m.
2. The parties agree that the landlord is granted an Order of Possession effective November 30, 2022 at 5:00 p.m., which must be served on the tenants.
3. The parties agree that as part of the 2 Month Notice served on the tenants, that the tenants are not required to pay November 2022 rent as compensation due the 2 Month Notice being served on the tenants by the landlords.
4. The tenants surrender their full security deposit of \$600 to the landlords as part of this mutually settled agreement.

5. The parties agree that the tenants' application is mutually withdrawn as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the Act. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of this matter.

Pursuant to section 62(3) of the Act, I make the following order:

**I ORDER** the parties to comply with their mutually settled agreement as indicated above.

### Conclusion

This matter has been resolved by way of a mutually settled agreement pursuant to section 63 of the Act.

The tenancy ends on November 30, 2022 at 5:00 p.m. The landlords are granted an Order of Possession effective November 30, 2022 at 5:00 p.m. The tenants must be served with the Order of Possession. Should the tenants 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.

The tenants are also reminded that if they fail to vacate by November 30, 2022 at 5:00 p.m., they could be held liable for all costs related to enforcement of the Order of Possession.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: October 25, 2022

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Residential Tenancy Branch