



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

### Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of the landlord's One Month Notice to End Tenancy for Cause (the One Month Notice) pursuant to section 47;
- an order requiring the landlord to comply with the Act, regulation or tenancy agreement pursuant to section 62;
- authorization to recover the filing fee for this application pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

### Terms of Settlement

Pursuant to section 63 of the Act, an 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenants and landlord agree **that this tenancy will end no later than 11:59 p.m. on January 31, 2023**, and, the landlord will be granted an **Order of Possession**.
2. The landlord agrees to not enforce the attached Order of Possession until **11:59 p.m. on January 31, 2023** on the following conditions:
  - i. The additional occupant V.O. vacates the rental unit no later than 1:00 p.m. on December 1, 2022, and;

- ii. The tenants continue to pay all future rent payments in full and on time as per the tenancy agreement.

If the tenants fail to comply with any of the above conditions, the landlord may enforce the attached order of possession effective **two days after service of the Order** on the tenant.

3. In addition to the above, the tenants agree to compensate the landlord in the amount of \$300.00 to cover the landlord's increased insurance costs due to the additional occupant for the month of November 2022.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

**This Decision and Settlement Agreement is final and binding on both parties.**

#### Conclusion

Subject to the conditions described above, I grant an Order of Possession to the landlord effective **11:59 p.m. on January 31, 2023**. Should the tenants fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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: November 01, 2022

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Residential Tenancy Branch