



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, OLC, FFT

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear the following applications regarding a tenancy.

The tenants applied on July 12, 2022 for:

- an order cancelling a Two Month Notice to End Tenancy for Landlord's Use of Property, dated June 28, 2022;
- an order for the landlord to comply with the Act, regulation, and/or tenancy agreement; and
- the filing fee.

The landlord applied on November 10, 2022 for:

- an order of possession, having served the Two Month Notice; and
- the filing fee.

Those present were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses; they were made aware of Residential Tenancy Branch Rule of Procedure 6.11 prohibiting recording dispute resolution hearings.

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 vacate the rental unit by 1:00 p.m. on June 30, 2023.

Both parties testified at the hearing that they understood and agreed to the above term, free of any duress or coercion, and that this was a full and final resolution of this dispute. 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 term, I grant the landlord an order of possession effective at 1:00 p.m. on June 30, 2023.

Conclusion

The tenants' application is dismissed.

In support of the parties' agreement, I grant the landlord an order of possession effective at 1:00 p.m. on June 30, 2023.

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: December 07, 2022

Residential Tenancy Branch