



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

Introduction

This hearing convened as a result of a Tenant's Application, filed July 24, 2022, wherein the Tenant sought to cancel a 2 Month Notice to End Tenancy for Landlord's Use, issued on July 24, 2022 (the "Notice"), and to recover the filing fee.

The hearing of the Tenant's Application was scheduled for 11:00 a.m. on December 15, 2022. Both parties called into the hearing. The hearing process was explained, and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form and make submissions to me.

Settlement and Conclusion

During the hearing the parties reached a comprehensive settlement. Pursuant to section 63 of the *Residential Tenancy Act* (the "Act"), I record their agreement in this my Decision and resulting Orders. As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims.

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. The terms of the settlement are as follows.

1. The Tenant will vacate the rental unit by no later than **1:00 p.m. on January 31, 2023.**

2. The Landlord is entitled to an Order of Possession effective **1:00 p.m. on January 31, 2023**. This order may be filed in the Supreme Court and enforced as an order of that Court.
3. The Landlord shall pay to the Tenant the amount of \$50.00 comprised of one half the \$100.00 fee paid by the Tenant for this application.
4. The Tenant is entitled to a Monetary Order in the amount of \$50.00. Should the Landlord not pay the \$50.00 as agreed, the Order may be filed in the Provincial Court (Small Claims) and enforced as an Order of that Court.

This decision is final and binding on the parties, except as 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: December 15, 2022

Residential Tenancy Branch