



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNL-MT**

Introduction

This hearing dealt with an application filed by the tenant pursuant the *Residential Tenancy Act* (the “Act”) for:

- An order to cancel a 2 Month Notice to End Tenancy for Landlord’s Use pursuant to sections 49 and 55; and
- Leave to have the application heard after the time to dispute the notice to end tenancy has passed pursuant to section 66.

Both the landlord and the tenant attended the hearing. The landlord acknowledged service of the tenant’s Notice of Dispute Resolution Proceedings package and had no issues with timely service of documents.

Settlement Reached

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. During the hearing the parties discussed the issues between them, turned their minds to compromise and achieved the following resolution of their dispute.

The parties mutually agree to end the tenancy. This tenancy will end at 1:00 p.m. on March 30, 2023, by which time the tenant and any other occupant will have vacated the rental unit.

The tenant agrees to pay the arrears in rent for the period of February 1 to February 14, 2023 (\$850.00)

The tenant will continue to pay rent for the period from February 15 to March 30, 2023 (1.5 months = \$2,550.00)

The parties will attend the rental unit at 1:00 p.m. on March 30, 2023, to conduct a move-out condition inspection report.

Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the application before me and I make no determinations on whether the notice to end tenancy was valid.

Conclusion

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue an Order of Possession to the landlord. The landlord is to serve this Order of Possession upon the tenant and may enforce it as early as 1:00 p.m. on March 30, 2023 should the landlord be required to do so.

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: February 06, 2023

Residential Tenancy Branch