



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

On September 28, 2022, the Tenants applied to cancel a Two Month Notice to End Tenancy for Landlord's Use of Property dated September 16, 2023.

The Tenant and Landlords attended the hearing. The rental unit was sold, and the purchasers of the property also attended the hearing.

I introduced myself and the participants. The parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to present oral testimony and to make submissions during the hearing.

Section 49(5)(c) of the Act provides that a landlord may end a tenancy if the purchaser of the property asks the landlord to give notice to end the tenancy.

Settlement Agreement

At the start of the hearing, the parties agreed to settle this dispute, on the following conditions:

- The parties agreed that the tenancy will end on **March 31, 2023**.
- The parties agreed that the owners are granted an order of possession for the property effective **March 31, 2023, at 1:00 p.m.**
- The parties agree that the Two Month Notice dated September 16, 2022, is cancelled in its entirety as part of this mutually settled agreement. The Two Month Notice cannot be relied on for future claims.
- The Tenants withdraw their application to dispute the Two Month Notice as part of this mutually settled agreement.

Since the property has sold, the Order of Possession for the rental unit is granted under the name of the current property owners.

This settlement agreement was reached in accordance with section 63 of the *Act*. The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The Landlords have been granted an order of possession for the property effective March 31, 2023, at 1:00 p.m. For enforcement, this order must be served on the Tenants and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: February 06, 2023

Residential Tenancy Branch