



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes OPL, FFL
 CNL, FFT

Introduction

This hearing convened as a result of cross applications. The Landlord filed two applications and the Tenant filed one. In the Landlord's Applications filed October 3, 2022 and filed October 25, 2022 the Landlord sought an Order of Possession based on a 2 Month Notice to End Tenancy for Landlord's Use issued on October 3, 2022 (the "Notice") as well as recovery of the filing fee. In the Tenant's Application filed on October 24, 2022 he sought an Order canceling the Notice as well as recovery of the filing fee.

The hearing of the parties' Applications was scheduled for teleconference at 9:30 a.m. on February 16, 2023. Both parties called into the hearing. The Landlord called in on her own behalf and as agent for the new owners of the rental property, 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 resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. 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 their settlement follow.

1. The tenancy shall end and the Tenant shall vacate the rental unit by no later than **1:00 p.m. on March 1, 2023.**
2. The Landlord is granted an Order of Possession effective **1:00 p.m. on March 1, 2023.** The Landlord must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.

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 22, 2023

Residential Tenancy Branch