



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing

Page: 1

DECISION

Dispute Codes: CNC OPC FFL

Introduction

The Landlord sought an order of possession related to a notice to end the tenancy under sections 47 and 55 of the *Residential Tenancy Act* (the “Act”).

The Landlord sought \$100 to recover the cost of the application fee.

The Tenant sought an order cancelling the notice to end the tenancy.

Settlement of Dispute

The parties settled their dispute during the dispute resolution proceedings and their settlement is recorded below. The terms of the settlement have the same legal force and effect as a decision and order, pursuant to section 63(2) of the Act.

The Tenant and Landlord agree to settle their dispute on the following terms:

1. The tenancy will end on April 15, 2023 at 1:00 p.m.
2. The Tenant is entitled to the use and occupancy of the rental unit from April 1 to April 15, 2023, inclusive, without the requirement that any rent be paid for that period of time.
3. The Landlord will, pursuant to section 38 of the Act, return the Tenant's \$300 security deposit with the Tenant's understanding that they comply with section 37(2)(a) of the Act. This section states that a tenant “must leave the rental unit reasonably clean, and undamaged except for reasonable wear and tear.”
4. The Landlord is granted an order of possession with this Decision. While probably unnecessary, the Landlord may serve a copy of the order of possession upon the Tenant no later than April 1, 2023.

Because this dispute was resolved through mutual settlement, I decline to award any recovery of the Landlord's application filing fee.

Conclusion

The applications resolved through settlement, as outlined above.

On a final note, I wish to commend the parties for remaining both flexible and forthright in reaching this settlement. And I would encourage the parties to continue to do so until the very end of this tenancy.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: March 10, 2023

Residential Tenancy Branch