



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNL MNDCT FFT

Introduction

This hearing was convened as a result of the tenant's Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The tenant applied to cancel a 2 Month Notice to End Tenancy for Landlord's Use of Property dated November 5, 2022 (2 Month Notice) and to recover the filing fee.

A tenant and the landlord attended the teleconference hearing and gave affirmed testimony. The parties were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me.

Settlement Agreement

During the hearing, the parties agreed to settle these matters, on the following conditions:

1. The parties agree that the tenancy will end on **June 30, 2023 at 1:00 PM.**
2. The landlord is granted an order of possession effective June 30, 2023 at 1:00 PM.
3. The parties agree the 2 Month Notice dated November 5, 2022 is modified to change the effective vacancy date from January 6, 2023 to June 30, 2023 at 1:00 PM.

This settlement agreement was reached in accordance with section 63 of the Act. The parties confirmed at the end of the hearing that this settlement agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of these matters.

I ORDER the parties to comply with the terms of their settlement agreement, pursuant to sections 62(3) and 63 of the Act.

Conclusion

The parties have been ordered to comply with the terms of their settlement agreement, pursuant to sections 62(3) and 63 of the Act.

The landlord has been granted an order of possession effective June 30, 2023 at 1:00 PM, which is the date and time the tenancy ends. Should the landlord require enforcement of this order, it must be first served on the tenant by the landlord and may be filed in the Supreme Court and enforced as an order of that court.

The parties confirmed their understanding that while they voluntarily formed this settlement agreement and that it is final and binding under the Act.

This decision will be emailed to both parties. The order of possession will be emailed to the landlord for service on the tenant, if necessary.

I decline to award the filing fee as this matter was resolved by settlement agreement.

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: March 22, 2023

Residential Tenancy Branch