



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNL, OLC, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the tenant filed under the *Residential Tenancy Act* (the “Act”) to cancel a Two Month Notice to End Tenancy for Landlord’s Use of Property, (the “Notice”) issued on February 1, 2023, to have the landlord comply with the Act and to recover the cost of the filing fee.

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

- 1) The parties agreed that the tenancy will end on June 30, 2023, based on the Notice.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

Pursuant to section 62(3) of the Act, I make the following orders.

- 1) The landlord is entitled to an order of possession on the agreed upon date;
- 2) The tenant is required to pay rent for April 2023, forthwith (tenant indicated at hearing that they sent the landlord an etransfer) and subsequent rent as required by the Act;
- 3) The tenant is entitled to withhold their last month of rent June as compensation for receiving the Notice; and
- 4) The tenant is entitled to use the provision of section 50 of the Act to end the tenancy earlier than June 30, 2023, should they find living accommodations .

Conclusion

As a result of the above settlement, landlord is granted an order of possession should the tenant fail to comply with the settlement agreement.

I have not granted the tenant the cost of the filing fee as I did not hear the merits of the Notice.

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: April 18, 2023

Residential Tenancy Branch