



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes CNL

Introduction

On December 5, 2022, the Tenant applied for Dispute Resolution under the *Residential Tenancy Act* (“the Act”) requesting the following relief:

- to cancel a Two Month Notice to End Tenancy for Landlord Use of Property dated November 29, 2022 (“the Two Month Notice”).

The matter was set for a conference call hearing. Both parties appeared at the hearing. The Tenant was assisted by an advocate and the Landlord was assisted by an agent. The hearing process was explained, and the participants were asked if they had any questions. Both parties provided affirmed testimony and were provided the opportunity to present their evidence, orally and in written and documentary form, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the Rules of Procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

Settlement Agreement

During the hearing, the parties agreed to settle this dispute, on the following conditions:

1. The Landlord and Tenant agreed that the tenancy will end on **June 15, 2023**.
2. The Landlord and Tenant agreed that the Landlord is granted an order of possession effective **June 15, 2023, at 1:00 p.m.** The Landlord must serve the Tenant with the order of possession.
3. The Tenant withdraws his application to dispute the One Month Notice as part of this mutually settled agreement.
4. The Tenant retains his right to receive one-month free rent from the Landlord and agrees to pay his rent owing under the tenancy agreement up to June 15, 2023.

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 Landlord has been granted an order of possession effective June 15, 2023, at 1:00 p.m. For enforcement, this order must be served on the Tenant 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: April 14, 2023

Residential Tenancy Branch