



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

This hearing dealt with the tenant's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- cancellation of a Two Month Notice to End Tenancy For Landlord's Use of Rental Property, pursuant to section 49 (the Two Month Notice).

All named parties attended the hearing. At the outset of the hearing, the parties advised they had settled this dispute by mutual agreement. The parties had entered a signed Rental Termination Agreement into evidence.

Terms of Settlement

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The parties agreed that that this tenancy will end *no later* than **1:00 p.m. on July 15, 2023**, and, the landlord will be granted an **Order of Possession** effective this date.
2. The tenant is entitled to the equivalent of one month rent free under section 51(1) of the Act.
3. The tenant may end the tenancy early at any time by providing the landlord with written notice. The landlord waived the 10 Day notice requirement as per section 50 of the Act. A notice under this section does not affect the tenant's right to compensation for one free month under section 51 of the Act.

4. The tenant retains the right under section 51(2) of the Act to claim against the landlord if :
- a) steps have not been taken, within a reasonable period after the effective date of the notice, to accomplish the stated purpose for ending the tenancy, or
 - b) the rental unit is not used for that stated purpose for at least 6 months' duration, beginning within a reasonable period after the effective date of the notice.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that the above terms comprise the full and final settlement of all aspects of this dispute.

This Decision and Settlement Agreement is final and binding on both parties.

Conclusion

I grant an Order of Possession to the landlord effective **1:00 p.m. on July 15, 2023**. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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: May 03, 2023

Residential Tenancy Branch