



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

Introduction

This hearing was convened by way of conference call concerning an application made by the tenants seeking an order cancelling a Two Month Notice to End Tenancy for Landlord's Use of Property, and to recover the filing fee from the landlord for the cost of the application.

Both tenants and the landlord attended the hearing, and the landlord was accompanied by a person to assist.

During the course of the hearing the parties agreed to settle this dispute in the following terms:

1. the Two Month Notice to End Tenancy for Landlord's Use of Property dated December 22, 2022 is cancelled and the tenancy continues;
2. the tenants will vacate the rental unit by no later than September 30, 2023 at 1:00 p.m.
3. the landlord will have an Order of Possession effective September 30, 2023 at 1:00 p.m. and the tenancy will end at that time;
4. the tenants will not be required to pay rent for the last month of the tenancy.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Since the parties have settled this dispute I decline to order that the tenants recover the filing fee from the landlord.

Conclusion

For the reasons set out above, and by consent, the Two Month Notice to End Tenancy for Landlord's Use of Property dated December 22, 2022 is cancelled.

I hereby grant an Order of Possession in favour of the landlord effective at 1:00 p.m. on September 30, 2023, and I order that the tenants are not required to pay rent for the last month of the tenancy.

The tenants' application for a monetary order for recovery of the filing fee is hereby dismissed.

This order is final and binding and may be enforced.

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 04, 2023

Residential Tenancy Branch