



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

A matter regarding COLDWELL BANKER PRESTIGE REALTY
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNL-4M, LRE, FFT

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The tenant applied for:

- Cancellation of a Four Month Notice to End Tenancy for Demolition or Conversion of a Rental Unit, pursuant to section 49;
- an order to restrict or suspend the landlord's right of entry, under section 70; and
- an authorization to recover the filing fee for this application, under section 72.

Both parties attended the hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

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. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

1. The tenant agrees to provide the landlord with vacant possession of the subject rental property on October 15, 2023 by 1:00pm.
2. The tenancy is ending because of the 4 Month's Notice to End Tenancy For Demolition or Conversion of a Rental Unit dated April 23, 2023.
3. The tenant will pay rent on September 01, 2023 in the amount of \$3,000.00 for the period of September 01 to 15, 2023. The tenant will not pay rent for the period of September 16 to October 15, 2023, in accordance with section 51.1 of the Act.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect on October 15, 2023 by 1:00pm. The landlord is provided with this order in the above terms and must serve it on the tenant in accordance with the Act. If the tenant fails 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: June 12, 2023

Residential Tenancy Branch