

DECISION

Introduction

This hearing dealt with the Landlord's application filed October 5, 2023, under the *Residential Tenancy Act* (the "Act") for:

- an Order of Possession based on a Two Month Notice to End Tenancy for Landlord's Use of Property (the Two Month Notice) under sections 49 and 55 of the Act
- authorization to recover the filing fee for this application from the Tenant under section 72 of the Act

and the cross-application filed by the Tenant on October 12, 2023, seeking:

- to dispute the Two Month Notice issued by the Landlord on July 24, 2023, under section 49 of the Act, and requesting more time to do so
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

During the hearing, the parties reached an agreement to settle their dispute and end the tenancy.

Settlement Agreement

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and record the settlement in the form of a decision or an order.

Both parties agreed to the following terms of a final and binding resolution of the current issues arising out of this tenancy and that they did so of their own free will:

1. Both parties agree that this tenancy will end by 1:00 pm on November 22, 2023, by which time the Tenant agrees to have vacated the rental unit.
2. The parties agree the tenancy is ended as a result of the Two Month Notice issued July 24, 2023, and the Tenant maintains their rights to compensation under section 51 of the Act, including one month's rent compensation, and the ability to claim 12 month's rent compensation if the Landlord purchaser fails to occupy the rental unit as described in the Two Month Notice.

In light of the settlement reached between the parties, I find each party shall bear the cost of their own filing fee.

Conclusion

To give effect to the settlement reached between the parties, I grant an Order of Possession to the Landlord effective **on November 22, 2023 at 1:00 pm, after service of this Order** on the Tenant. Should the Tenant or any occupant on the premises 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 Act.

Dated: November 10, 2023

Residential Tenancy Branch