



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

Dispute Codes      CNL-MT, OLC, FFT

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear applications regarding the above-noted tenancy.

The tenant's application submitted on September 19, 2023 pursuant to the Act is for:

- cancellation of a Two Month Notice to End Tenancy for Landlord's Use (the Notice), issued pursuant to section 49;
- an extension of the timeline for disputing the Notice, pursuant to section 66;
- an order for the landlord to comply with the Act, the Residential Tenancy Regulation and/or tenancy agreement, pursuant to section 62; and
- an authorization to recover the filing fee for this application, under section 72.

The tenant's application submitted on September 30, 2023 pursuant to the Act is for the same claims as the application submitted on September 19, 2023.

Tenant JU (the Tenant) and Landlord AL (the Landlord) attended the hearing. The Landlord represented landlord BP. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

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 the issues listed in these applications for dispute resolution:

1. The Tenant agrees to provide the Landlords with vacant possession of the subject rental property on January 2, 2024 by 5:00 PM.
2. The Tenancy is ending because of the Notice dated August 25, 2023.

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

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 January 2, 2024 by 5:00 PM. The Landlord is provided with this order in the above terms and must serve it on the Tenant in accordance with the Act as soon as possible. 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 *Act*.

Dated: January 02, 2024

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Residential Tenancy Branch