



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing

DECISION

Introduction

This hearing dealt with the Tenants' and Landlord's Applications for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- cancellation of the Landlord's One Month Notice to End Tenancy for Cause (One Month Notice) under section 47 of the Act
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

At the outset of the hearing the parties indicated their intention to settle their dispute.

Settlement

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. 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 this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the Tenant's application and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The Tenants agrees to move out of the rental unit on January 13, 2024.
2. The Landlord agrees to refund the Tenants \$917.42 for rent paid for the period January 14 to 31, 2024. The Landlord will make the payment to the Tenants on or before January 25, 2024.
3. Both parties agreed that these particulars comprise the full settlement of all aspects of the Tenants' and Landlord's current applications for dispute resolution.

Conclusion

In order to give effect to the settlement reached between the parties, and as discussed at the hearing, I grant an Order of Possession to the Landlord effective **2 days, after service of this Order** on the Tenants. **This Order may only be served on the**

Tenants if the Tenants do not honour the terms of this settlement. Should the Tenants 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.

In order to give further effect to the above settlement reached between the parties, I grant a Monetary Order in the Tenants' favour in the amount of \$917.42. The Tenants are provided with this Order and the Landlord must be served with a copy of this Order **only if the Landlord does not honour the terms of this settlement.** Should the Landlord fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as Orders of that Court.

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: January 11, 2024

Residential Tenancy Branch