

## **DECISION**

### **Introduction**

This hearing dealt with the Tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for:

- cancellation of the Landlord's Two Month Notice to End Tenancy for Landlord's Use of Property (Two Month Notice) under section 49 of the Act

This hearing also dealt with an application by the landlord under the *Residential Tenancy Act* (the Act) for the following:

- An order of possession under a Two Month Notice to End Tenancy for Landlord's Use ("Two Month Notice") pursuant to sections 49 and 55;
- An order requiring the tenant to reimburse the landlord for the filing fee pursuant to section 72.

The parties settled this dispute.

### **Settlement**

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order. This settlement agreement was reached in accordance with section 63.

### **The parties agreed as follows:**

- 1) Pursuant to the landlord's Two Month Notice, the tenancy between the parties will end at 1:00 PM on January 31, 2024, by which time the tenant and any other occupants will return vacant possession of the rental unit to the landlord.
- 2) The landlord will reimburse the tenant for rent paid for the month of January 2024 as compensation under section 55.

- 3) The issue of the security and pet deposits will be dealt with by the parties when the tenant moves out.

In support of the agreement described above, the landlord is granted an Order of Possession effective 1:00 PM on January 31, 2024. The landlord may serve and enforce this Order if the tenant fails to move out as specified above.

### **Conclusion**

The application is settled on the above terms.

I grant the landlord an Order of Possession effective 1:00 PM on January 31, 2024.

This Order of Possession must be served on the tenant and may be filed and enforced in the courts of the Province of BC.

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 22, 2024

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Residential Tenancy Branch