

DECISION

Introduction

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

- an Order of Possession based on a Two Month Notice to End Tenancy 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

It also dealt with the Tenant's Application under the Act for:

- cancellation of a Two Month Notice Notice to End Tenancy under sections 49 of the Act
- relief related to repairs, compensation and access by the Landlord;
- 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 Applications:

1. The parties mutually agree to end the tenancy on August 31, 2024
2. The parties acknowledge that the Tenant has previously received one month of compensation pursuant to section 51 of the Act
3. This settlement does not impact the Tenant's ability to claim compensation under section 51(3) of the Act

Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle aspects of the dispute. As the parties

resolved matters by agreement, I make no findings of fact or law with respect to the application before me.

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 **on August 31, 2024, 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: June 24, 2024

Residential Tenancy Branch