

## **DECISION**

### **Introduction**

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear linked applications.

The Tenant's June 3, 2024 Application for Dispute Resolution under the Act is for:

- Cancellation of the One Month Notice to End Tenancy for Cause (the One Month Notice), pursuant to section 47;
- Cancellation of the Two Month Notice to End Tenancy for Landlord's Use (the Two Month Notice), issued pursuant to section 49;
- An Order to dispute a rental increase, pursuant to section 43
- An Order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act.

The Tenant's June 17, 2024 Application for Dispute Resolution under the Act is for:

- Cancellation of a One Month Notice to End Tenancy for Cause (the One Month Notice), pursuant to section 47.

### **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:

- The One Month Notice dated May 29, 2024, is cancelled;
- The Two Month Notice dated May 25, 2024, is amended to list an effective date of October 31, 2024;
  - Both parties agree that the tenancy will end by October 31, 2024, at 1:00 PM, and that the Tenant and any occupants will provide vacant possession to the Landlord at that time;

- The Tenant also pledges to search for a new living accommodation as soon as possible;
- The Landlord agrees that the Tenant may provide notice by email/in writing to end the tenancy earlier than October 31, 2024, because the Landlord is seeking possession of the rental unit for occupancy by a close family member as soon as possible;
- The Landlord waives the rent increase dated May 24, 2024;
- Both parties agreed that these particulars comprise the full settlement of all aspects of the current applications for dispute resolution.

## Conclusion

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 October 31, 2024, 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: July 25, 2024

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Residential Tenancy Branch