

DECISION

Introduction

This hearing dealt with the Landlords' 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 for Landlord's Use of Property (Two Month Notice) 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

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

- cancellation of the Landlords' Two Month Notice to End Tenancy for Landlords' Use of Property (Two Month Notice) under sections 49 of the Act

Preliminary Matters

At the outset of the hearing, the Landlords' legal counsel testified that the parties had reached an agreement to settle the dispute.

I allowed the Landlords' legal counsel to upload to the Residential Tenancy Branch portal a copy of the reached agreement and Mutual Agreement to End a Tenancy #RTB-8 form, in accordance with Residential Tenancy Branch Rules of Procedure 3.19.

I find it reasonable to allow the copy of the reached agreement and Mutual Agreement to End a Tenancy #RTB-8 form as evidence as it does not in any way prejudice the Tenant. The Tenant was aware of both documents as both documents were signed by the Tenant.

Settlement Reached

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. Prior to hearing, the parties discussed the issues between them, turned their minds to compromise and reached an agreement to settle their dispute with the following terms:

- both parties agreed to the tenancy ending on October 1, 2024, and the Tenant will vacate the rental unit by 6:00 p.m. on October 1, 2024
- both parties agreed that the Landlords will compensate the Tenant \$2,000.00 (this amount includes the Tenant's security deposit of \$200.00) by October 1, 2024

Conclusion

This agreement is made voluntarily, and it was made in full satisfaction of the Landlords' application and the Tenant's application.

To give effect to the settlement reached between the parties, I grant an Order of Possession to the Landlords effective **on October 1, 2024, at 6:00 p.m., 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.

To give effect to the above settlement reached between the parties, I grant a Monetary Order to the Tenant in the amount of \$2,000.00. The Tenant is provided with this Order and the Landlords must be served with a copy of this Order as soon as possible, if the Landlords do not pay the Tenant the amount of \$2,000.00 by October 1, 2024. Should the Landlords fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order 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 Act.

Dated: September 27, 2024

Residential Tenancy Branch