

## **DECISION**

### **Introduction**

This hearing dealt with cross applications for Dispute Resolution under the *Residential Tenancy Act* (the Act) by the Parties:

The Tenant applied for:

- cancellation of the Landlord's Three Month Notice to End Tenancy for Landlord's Use of Property (Three Month Notice) under section 49 of the Act
- a Monetary Order for compensation for damage or loss under the Act, regulation or tenancy agreement under section 67 of the Act
- an order to suspend or set conditions on the Landlord's right to enter the rental unit under section 70(1) of the Act
- an order requiring the Landlord to comply with the Act, regulation or tenancy agreement under section 62 of the Act
- authorization to recover the filing fee for this application from the Landlord under section 72 of the Act

The Landlord applied for:

- an Order of Possession based on a Three Month Notice to End Tenancy for Landlord's Use of Property (Three 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

### **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 the hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following terms of a final and binding resolution of the parties' cross applications 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. This tenancy will end by 1:00 p.m. on September 30, 2025, by which time the Tenant and all occupants agreed to have vacated the rental unit.
2. The Landlord will return half of the Tenant's security deposit that has been overpaid to the Landlord in the amount of \$795.00 by 5:00 p.m. on August 25, 2025.
3. Both parties agreed that these particulars comprise the full settlement of all aspects of the parties' current applications for dispute resolution.

## Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of their applications.

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 at 1:00 p.m. on September 30, 2025 **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: August 22, 2025

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Residential Tenancy Branch