



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MT, CNC, CNL, OLC, FF

Introduction

This hearing dealt with the tenant's Application for Dispute Resolution seeking more time to apply to cancel notices to end tenancy; to cancel notices to end tenancy; and an order to have the landlord comply with the *Residential Tenancy Act (Act)*, regulation or tenancy agreement.

The hearing was conducted via teleconference and was attended by both tenants and one of the landlords.

The tenants confirmed at the outset of the hearing that the landlord had not issued an actual 2 Month Notice to End Tenancy for Landlord's Use of Property but had issued a 1 Month Notice to End Tenancy for Cause. As such I amend the tenant's Application to exclude the matter of cancelling a 2 Month Notice to End Tenancy for Landlord's Use of Property.

Further the tenants acknowledged receipt of the 1 Month Notice on June 23, 2012 and filed their Application to dispute the Notice on June 27, 2012. When a tenant receives a 1 Month Notice to End Tenancy for Cause they have 10 days to submit an Application to dispute the notice; as the tenants submitted their Application within 4 days of receiving it there is no need for additional time to apply. I amend the tenant's Application to exclude the matter of more time.

Issue(s) to be Decided

The issues to be decided are whether the tenants are entitled to cancel a 1 Month Notice to End Tenancy and to a monetary order to recover the filing fee from the landlords for the cost of the Application for Dispute Resolution, pursuant to Sections 47, 67, and 72 of the *Act*.

Background and Evidence

During the hearing agreement the parties reached the following settlement agreement:

1. The tenants agree to vacate the rental property no later than July 31, 2012;
2. The parties agree that I can grant the landlord an order of possession in support of this agreement.

Conclusion

In support of the settlement agreement I grant the landlord an order of possession effective **July 31, 2012 after service on the tenants**. This order must be served on the tenants. If the tenants fail to comply with this order the landlord may file the order with the Supreme Court of British Columbia and be enforced as an order of that Court.

In further support of this settlement agreement I grant the tenants a monetary order in the amount of **\$50.00** comprised of the fee paid by the tenants for this application.

This order must be served on the landlords. If the landlords fail to comply with this order the tenant may file the order in the Provincial Court (Small Claims) and be 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 *Residential Tenancy Act*.

Dated: July 18, 2012.

Residential Tenancy Branch