



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC

Introduction

This hearing was convened as the result of the tenants' application for dispute resolution under the Residential Tenancy Act (the "Act"). The tenants applied for an order cancelling the landlords' 1 Month Notice to End Tenancy for Cause (the "Notice").

The parties appeared and each submitted their respective positions in this matter.

Thereafter a mediated discussion ensued and the parties agreed to resolve their differences.

Settled Agreement

The tenants and the landlords agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenants agree to vacate the rental unit by 1:00 p.m. on March 31, 2015;
2. The landlords agree that the tenancy will continue until 1:00 p.m. on March 31, 2015;
3. The tenants agree that if they vacate the rental unit earlier than March 31, 2015, they will provide the landlord with a 1 month's notice, one clear calendar month in advance the date they intend to vacate. In other words, if the tenants intend to vacate by the end of February 2015, they will provide the landlords with that notice at least by January 31, 2015;
4. The tenants agree that they will not smoke within the rental unit or on the residential property, as mentioned in their written tenancy agreement;
5. The tenants understand that tenants are generally not allowed to interfere with other occupants, pursuant to the Act;
6. The tenants understand the landlords will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenants fail to vacate the rental unit by 1:00 p.m., March 31, 2015, the landlords may serve the order of possession on the tenants for enforcement purposes; and

7. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenants' application and that no finding is made on the merits of the said application for dispute resolution or the landlords' Notice.

Conclusion

The tenants and the landlords have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlords with an order of possession for the rental.

The order of possession is enclosed with the landlords' Decision. This order is a legally binding, final order, and, after service upon the tenants, may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

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: January 22, 2015

Residential Tenancy Branch

