



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      CNL CNR FF  
                              FFL OPRM-DR

### Introduction

This hearing was convened by way of conference call concerning applications made by the landlord and by the tenants. The landlord has filed 2 applications both seeking an Order of Possession and a monetary order for unpaid rent or utilities and to recover the filing fee from the tenants for the cost of the application. The tenants have applied for an order cancelling a notice to end the tenancy for landlord's use of property; an order cancelling a notice to end the tenancy for unpaid rent or utilities; and to recover the filing fee from the landlord.

The landlord and one of the tenants attended the hearing and the tenant also represented the other tenant.

The landlord withdrew one of the applications, indicating that it was made in error.

During the hearing the parties agreed to settle this dispute in the following terms:

1. the landlord will have an Order of Possession effective at 1:00 p.m. on November 30, 2019 and the tenancy will end at that time.
2. No further rent will be paid by the tenants in lieu of internet not being available to the tenants in contravention of the tenancy agreement, and as compensation for ending the tenancy early.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

Since the parties have settled this dispute, I decline to order that either party recover the filing fees.

I leave it to the parties to deal with the security deposit in accordance with Section 38 of the *Residential Tenancy Act*.

Conclusion

For the reasons set out above, and by consent, I hereby grant an Order of Possession in favour of the landlord effective at 1:00 p.m. on November 30, 2019 and the tenancy will end at that time.

I further order, by consent that the tenants are not required to pay anymore rent to the landlord.

This order is final and binding and may be enforced.

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: November 19, 2019

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Residential Tenancy Branch