



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding COLDWELL BANKER REALTY/VANCOUVER  
RENT IT and [tenant name suppressed to protect privacy]

## DECISION

Dispute Codes CNL, LRE, OLC, FFT

### Introduction

The tenant applied to cancel a Two Month Notice to End Tenancy for Landlord's Use of Property ("Notice") under section 49 of the *Residential Tenancy Act* ("Act"). In addition, the tenant sought orders against the landlord pursuant to sections 62 and 70 of the Act. The tenant sought recovery of the cost of the filing fee under section 72 of the Act.

The tenant, an agent for the landlord, the property owner, and the owner's daughter (a witness) attended the hearing on February 22, 2021 at 9:30 AM, which was held by teleconference. No issues of service were raised by the parties.

### Settlement Agreement

After the tenant, the landlord's agent, and the witness testified, the opportunity for settlement arose. The tenant had explained that, in expectation that should his application be dismissed, he had already gone ahead and paid a substantial security deposit on a new rental unit. He plans on taking possession of that new rental unit on March 1, 2021.

The parties were informed that while there was no obligation to resolve the dispute through settlement, I could assist the parties in reaching an agreement if they were desirous of such an approach. Section 63 of the Act permits me to assist the parties or offer the parties an opportunity to settle their dispute. If the parties settle their dispute during the hearing, I record the settlement in the form of a decision or an order.

The settlement agreement comprises an agreement between the parties that the tenancy will end on Monday, March 1, 2021 at 6:00 PM.

As the outcome was achieved through settlement, I decline to award recovery of the filing fee to the tenant. The remainder of the tenant's claims are dismissed without leave to reapply.

Finally, I note and confirm that the tenant is entitled to an amount of compensation equivalent of one month's rent, pursuant to section 51(1) of the Act. Further, the tenant reserves the right to seek compensation pursuant to section 51(2) of the Act if it should become necessary to do so.

### Conclusion

I order the parties to comply with the settlement agreement as set out above.

In support of this settlement agreement, I grant the landlord an order of possession which is effective March 1, 2021 at 6:01 PM. A copy of this order of possession is issued in conjunction with this decision to the landlord's agent.

This decision is made on authority delegated to me under section 9.1(1) of the Act.

Dated: February 22, 2021

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Residential Tenancy Branch