



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FFT

Introduction

This hearing was scheduled to convene at 11:00 a.m. on February 23, 2023 concerning an application made by the tenant seeking an order cancelling a Two Month Notice to End Tenancy for Landlord's Use of Property and the recover the filing fee from the landlord for the cost of the application.

The tenant attended the hearing with Legal Counsel. The landlord also attended, accompanied by 2 other people introduced as part owners of the rental property.

At the commencement of the hearing the parties agreed to settle this dispute in the following terms:

1. the Two Month Notice to End Tenancy for Landlord's Use of Property dated December 26, 2022 is cancelled, and the tenancy continues;
2. the parties agree to end the tenancy effective at 1:00 p.m. on May 1, 2023;
3. the landlord will have an Order of Possession effective on May 1, 2023 at 1:00 p.m. and the tenancy will end at that time;
4. the tenant will not be required to pay rent for the months of March or April, 2023;
5. the security deposit will be dealt with at the end of the tenancy in accordance with the *Residential Tenancy Act*.

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 the tenant recover the filing fee from the landlord.

Conclusion

For the reasons set out above, and by consent, the Two Month Notice to End Tenancy for Landlord's Use of Property dated December 26, 2022 is hereby cancelled.

By consent, I hereby grant an Order of Possession effective at 1:00 p.m. on May 1, 2023 and the tenancy will end at that time.

I further order, by consent, that the tenant will not be required to pay any rent for the months of March, 2023 or April, 2023.

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: February 23, 2023

Residential Tenancy Branch