



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. A Monetary Order for compensation - Section 67; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing and were given full opportunity under oath to be heard, to present evidence and to make submissions. After submissions the Parties reached a settlement agreement. At the end of the hearing the Parties confirmed a final review for accuracy of the terms of the agreement. The Parties confirmed that the agreement was made on a voluntary basis and that they understood the nature of the full and final settlement of these matters.

Agreed Facts

The tenancy started prior to the Landlord’s purchase of the unit in 2021. Rent of \$2,000.00 was payable monthly. The Tenant was given a two month notice to end tenancy for landlord’s use dated January 31, 2022 (the “Notice”). The Notice sets out an effective date of March 31, 2022. The reason stated on the Notice is that the landlord is a family corporation and a person owning voting shares in the corporation, or a close family member of that person, intends in good faith to occupy the rental unit. The Tenant moved out by March 31, 2022.

Settlement Agreement

The Parties mutually agree as follows:

1. **The Landlord will pay the Tenant \$19,100.00 no later than May 31, 2023; and**

2. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement I grant the Tenant a monetary order for **\$19,100.00**.

Conclusion

The Parties have settled the dispute.

I grant the Tenant an order under Section 67 of the Act for **\$19,100.00**. If necessary, this order may be filed in the Small Claims Court and 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 Act.

Dated: April 03, 2023

Residential Tenancy Branch