

DECISION

Introduction

This hearing dealt with the Tenants' duplicate Applications for Dispute Resolution under the *Residential Tenancy Act* (the Act) for:

- cancellation of the Landlord's One Month Notice to End Tenancy for Cause (One Month Notice) under section 47 of the Act

Tenants CV and BD attended the hearing for the Tenants.

Landlord MVM attended the hearing for the Landlord with LVM attending the hearing as their agent.

Analysis

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. If the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the Landlord's application and the issues in dispute arising out of this tenancy at this time and that they did so of their own free volition and without any element of coercion:

1. The parties agree that this tenancy is ended by way of Mutual Agreement and not based on the One Month Notices to End Tenancy dated September 2, 2024, or October 5, 2024.
2. The parties agree that the One Month Notice dated October 5, 2024, is withdrawn and of no force or effect.
3. The Tenants agree to vacate the rental unit on or before December 15, 2024, at 1:00 p.m.
4. The parties agree and consent to the withdrawal of the Tenants additional applications for dispute resolution, file numbers 910172324 and 910172371.
5. The Tenants agrees not to pursue these claims at a later date.

6. The parties agree that any correspondence between the parties during the remainder of the tenancy will be between the Tenants and the Landlord's agent LVM by email ONLY.
7. The Tenants will refrain from contacting MVM directly.
8. MV will refrain from contacting the Tenants directly.
9. The Tenants agree that they will not invite or permit JH and/or JoH to attend the rental property.
10. The Landlord will comply with the requirements of section 29 of the Act should they need to access the rental unit during the remainder of the tenancy.
11. The Tenants will make best efforts to find alternate housing as soon as possible.
12. The Tenants will notify the Landlord immediately of their intention to vacate the rental unit before December 15, 2024, should they find alternate accommodation.
13. The Tenants will be required to pay rent up to and including the end of the tenancy.

Conclusion

To give effect to the settlement reached between the parties, and as discussed at the hearing, I grant an Order of Possession to the Landlord which will be effective not earlier than December 15, 2024, at 1:00 p.m., after service upon the Tenants. The Landlord is provided with this Order.

Should the Tenants fail to comply with Term 3 of the above noted settlement agreement, the Tenants must be served with this Order. Should the Tenants or any occupant on the premises fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia. Should the Tenants comply with Term 3 of the above noted settlement agreement, the Order of Possession is cancelled and of no force or effect.

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: October 15, 2024

Residential Tenancy Branch