

Decision

Dispute Codes: ET / OP

Introduction

This hearing dealt with an application from the landlord for an early end to tenancy and an order of possession. Both parties participated in the hearing and gave affirmed testimony.

Issues to be decided

- Whether the landlord is entitled to either or both of the above under the Act

Background and Evidence

There is no written residential tenancy agreement in place for this month-to-month tenancy which began on or about October 15, 2009. Rent in the amount of \$750.00 is payable in advance on the first day of each month, and a security deposit of \$375.00 was collected at the outset of tenancy. By way of verbal settlement reached between the parties several weeks ago, in exchange for the tenants agreeing to vacate the unit promptly, the landlord returned the tenants' security deposit in addition to their rent cheques for October and November 2009. Presently, no rent has been paid for December, the tenants continue to reside in the unit, and they claim they have been unable to find alternate accommodation.

During the hearing the parties exchanged views on the circumstances of the dispute and undertook to achieve a resolution.

Analysis

Section 63 of the Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows:

- that the tenants will vacate the unit not later than 1:00 p.m., Monday, December 21, 2009, and that an order of possession will be issued to the landlord to that effect.

Conclusion

Pursuant to all of the above, I hereby issue an order of possession in favour of the landlord effective not later than **1:00 p.m., Monday, December 21, 2009**. This order must be served on the tenants. Should the tenants fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

DATE: December 11, 2009

Dispute Resolution Officer