

Decision

Dispute Codes: ET / OPC, FF

Introduction

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

Issues to be decided

- Whether the landlord is entitled to any of the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, the month-to-month tenancy began on December 1, 2008. Rent in the amount of \$650.00 is payable in advance on the first day of each month. A security deposit of \$325.00 was collected on November 30, 2008.

Arising from the recent attendance of police to the unit, and concerns for safety which have been expressed to the landlord by other tenants, the landlord seeks an early end to tenancy and an order of possession. During the hearing the parties exchanged views on some of the circumstances surrounding 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 tenant will vacate the unit by not later than 1:00 p.m., Monday, May 10, 2010, and that an order of possession will be issued in favour of the landlord to that effect.

As the landlord has succeeded in his application to obtain an order of possession, I find that he is entitled to recover the filing fee by way of withholding \$50.00 from the tenant's security deposit.

Conclusion

Pursuant to the above agreement, I hereby issue an order of possession in favour of the landlord effective not later than **1:00 p.m., Monday, May 10, 2010**. This order must be served on the tenant. Should the tenant 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.

I hereby order that the landlord may withhold \$50.00 from the security deposit in order to recover the filing fee.

DATE: May 5, 2010

Dispute Resolution Officer