

Decision

Dispute Codes: ET / OP, FF

Introduction

This hearing dealt with an application by the landlord for an early end to tenancy and an order of possession, in addition to 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 the above under the Act

Background and Evidence

Pursuant to a written tenancy agreement, a copy of which is not in evidence, the parties recall that the fixed term of tenancy is from August 1, 2010 to April 30, 2011. 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 at the outset of tenancy.

As a result of concerns arising out of the landlord's interactions with the tenant, the landlord seeks an early end of tenancy and an order of possession. During the hearing the parties undertook to achieve a resolution of the dispute.

Analysis

The full text of the Act, regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: www.rto.gov.bc.ca/

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 no later than midnight, Saturday, October 23, 2010, and that an order of possession will be issued in favour of the landlord to this effect;
- that the tenant will pay the landlord \$25.00 which is one half the filing fee, and that a monetary order will be issued in favour of the landlord to this effect;
- that the tenant will make the above payment by way of leaving it in care of another occupant in the house, prior to vacating the unit.

Conclusion

I hereby issue an order of possession in favour of the landlord effective not later than midnight, Saturday, October 23, 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.

Pursuant to section 67 of the Act, I hereby issue a monetary order in favour of the landlord in the amount of \$25.00. Should it be necessary, this order may be served on the tenant, filed in the Small Claims Court and enforced as an order of that Court.

DATE: October 19, 2010

Dispute Resolution Officer