



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing and Social Development

## DECISION

Dispute Codes      ET

### Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord to end the tenancy early and to obtain an Order of Possession.

Service of the hearing documents, by the Landlord to the Tenant, was done in person at the rental unit on November 19, 2010. The Tenant confirmed receipt of the hearing package.

The Landlord and Tenant appeared, gave affirmed testimony, were provided the opportunity to present their evidence orally, in writing, and in documentary form.

### Issues(s) to be Decided

1. Has the Landlord met the test to end the tenancy early?
2. If so, is the Landlord entitled to an Order of Possession?

### Background and Evidence

During the course of the hearing the parties agreed to settle this matter.

### Analysis

The parties reached an agreement to settle these matters, on the following conditions:

1. the Landlord withdraws her application; and
2. the parties agree to end the tenancy effective November 28, 2010; and
3. the Tenant will vacate the rental unit no later than November 28, 2010 at 1:00 p.m.; and
4. the parties will attend a move-out inspection at the rental unit on November 28, 2010 at 4:00 p.m.; and
5. the Landlord will return the post dated cheques to the Tenant; and

6. the Landlord will review balances owing for utilities and agrees to administer the security deposit in accordance with section 38 of the *Residential Tenancy Act*.

### Conclusion

In support of the settlement agreement the Landlord's decision will be accompanied by an Order of Possession effective November 28, 2010. The Order may be filed in Supreme Court and enforced as a 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 *Residential Tenancy Act*.

Dated: November 23, 2010.

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Dispute Resolution Officer