



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This hearing was convened in response to an application by the landlord pursuant to the section 56 of *Residential Tenancy Act* (the “Act”) for an Order Ending Tenancy Early and to obtain an Order of Possession.

The Landlord and Tenant were each given full opportunity to be heard, to present evidence and to make submissions. During the course of the Hearing, the Parties reached an agreement to settle the dispute.

Issue(s) to be Decided

Does the Landlord have sufficient cause to end the tenancy early and obtain an Order of Possession?

Background and Evidence

The tenancy started on October 1, 2010. The Landlords state that on May 31, 2011, they received a call from the lower suite tenant that the police had surrounded the house with guns drawn. The Landlord states that the Tenant has allowed a person or persons in the house that are known to police and are drug users. The Tenant agrees that a person was previously in the house but has left since the police incident and that nobody in the house uses drugs. During the hearing, the Parties reached an agreement to settle their dispute that would allow the tenancy to continue for short period of time.

Analysis

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the parties desire to settle their dispute during the proceedings, and agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

The Parties mutually agree as follows:

- 1. The Tenant will move out of the unit on or before 1:00 p.m. on June 30, 2011.**
- 2. The Landlord will allow the tenancy to continue until 1:00 p.m. June 30, 2011.**
- 3. The Parties agree that the Landlord may obtain an Order of Possession to be effective for 1:00 p.m. June 30, 2011.**
- 4. These terms comprise the full and final settlement of all aspects of this dispute for both parties.**

Conclusion

The notice to end tenancy is set aside and the tenancy will continue as set out on the above mutually agreed upon terms.

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: June 13, 2011.

Residential Tenancy Branch