



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR, CNR, F

Introduction

This conference call hearing was convened in response to two applications for dispute resolution as follows:

By the tenant: as an application for cancellation of a 10 Day Notice to End Tenancy.

By the landlord: as an application for an Order of Possession and to recover the filing fee associated with his application.

Both parties attended the hearing and provided affirmed testimony. They were given a full opportunity to be heard, to present evidence and to make submissions.

At the outset, the parties reached a settlement based on the following testimony: the landlord testified that tenant B.E. moved out of the rental unit on June 13th, 2011. The landlord's counsel clarified that the landlord is seeking an Order of Possession against tenant D.D. only, and a declaration confirming that the tenancy ended June 13th, 2011, with respect to tenant B.E.

Tenant B.E. confirmed that she moved out of the house on June 13th, 2011 and has no intention to dispute the landlord's Notice to End Tenancy. Tenant D.D. agreed that the tenancy will end July 1st, 2011.

Section 63 of the *Residential Tenancy Act* provides for the parties to resolve their dispute during the dispute resolution proceedings. Accordingly, the parties have agreed to the following:

- Tenant B.E. moved out of the property and ended the tenancy on June 13th, 2011.
- Tenant D.D.'s tenancy will end July 1st, 2011.
- The landlord is granted an Order of Possession effective on that date.

Conclusion

I grant the landlord an Order of Possession effective no later than 1PM, July 1st, 2011. This Order must be served on the tenant. If the tenant fails to comply, this Order may be filed in the Supreme Court of British Columbia and enforced as an 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: June 23, 2011.

Residential Tenancy Branch