



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This matter dealt with an application by the Landlord for an Order ending the tenancy earlier than it would end if the Landlord was required to enforce a One Month Notice to End Tenancy for Cause and wait for the applicable notice period to expire.

At the beginning of the hearing, the Tenant admitted that she had been served with the Landlord's Application for Dispute Resolution, Notice of Hearing and evidence package. As a result, I find that the Tenant was properly served with the Landlord's hearing package as required by s. 89 of the Act.

Issue(s) to be Decided

1. Does the Landlord have grounds to end the tenancy early?

Background and Evidence

This month-to-month tenancy started on April 1, 2010. Rent is \$820.00 per month. The Landlord's agent claimed that there have been a number of complaints made to him by other occupants of the rental property about noise disturbances and threats allegedly made by the Tenant and other occupants of her suite. The Landlord's agent also claimed that during a routine inspection of the Tenant's suite in April 2011, some other issues came to the Landlord's agents' attention which caused them great concern. As a result, the Landlord sought to end the tenancy early.

The Tenant said she is moving out of the rental property as of July 15, 2011. Consequently the Parties agreed to resolve this matter on the terms set out below.

Analysis

Section 63(2) of the Act says that "if the Parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order." During the hearing the Parties agreed that the tenancy would end on July 15, 2011 and that to ensure the Tenant's compliance with that agreement, the Landlord would receive an Order of Possession to take effect on July 15, 2011.

Conclusion

By agreement of the Parties, an Order of Possession to take effect at 1:00 p.m. on July 15, 2011 has been issued to the Landlord pursuant to s. 55(2)(d) of the Act. A copy of the Order must be served on the Tenant and may be enforced in the Supreme Court of British Columbia. The Landlord's application for an early end to the tenancy is dismissed with leave to reapply.

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 22, 2011.

Residential Tenancy Branch