



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, OPB, FF

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord for an order of possession based upon the fixed term tenancy ending.

Both parties appeared, and after brief testimony concerning the details of the tenancy and discussion concerning the ramifications of the Decision of June 20, 2011, entered by the Residential Tenancy Branch, the parties announced an interest in resolving their differences and agreed to explore a settlement.

Issue(s) to be Decided

Is the Landlord entitled to an Order of Possession?

Can the parties reach a mutual agreement to resolve this dispute?

Settled Agreement

After discussion, the Landlord and the Tenant agreed that this tenancy will end and agree to the following terms and conditions:

- 1) The Tenant will vacate the rental unit on or before August 31, 2011, at 1:00 p.m.;
- 2) The Tenant understands that the Landlord will be issued an Order of Possession based upon the settled agreement, effective for August 31, 2011, at 1:00 p.m.;
- 3) The Tenant understands if he fails to move out of the rental unit on or before August 31, 2011 at 1:00 p.m. the Landlord may serve the Order of Possession on the Tenant and obtain a writ of possession;
- 4) The Tenant understands that he is still obligated to pay monthly rent each month during his occupancy of the rental unit.

I accept the mutual agreement reached between the parties and I make it an order to be binding upon both parties.

Conclusion

The Landlord and Tenant have reached a settled agreement that the tenancy will end on or before August 31, 2011.

Based upon the settled agreement, as provided in section 63 of the Act, I grant the Landlord an **Order of Possession** to be enforced as agreed and stated above.

The Landlord may retain the amount of \$50.00 from the Tenant's security deposit to recover the filing fee.

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: July 21, 2011.

Residential Tenancy Branch