

## **Decision**

**Dispute Codes:** OPR, MNR, MNDC, MNSD, FF

### **Introduction / Background / Evidence**

This hearing was convened in response to the tenants' application for cancellation of a notice to end tenancy / and an order instructing the landlord to comply with the Act, Regulation or tenancy agreement. Both parties attended and gave affirmed testimony.

Section 63 of the Act addresses the **Opportunity to settle dispute**. At the outset of the hearing the parties reported that they had achieved a settlement of the dispute. Section 63 of the Act provides, in part, that "the director may record the settlement in the form of a decision or order." Accordingly, the principal component of the settlement reached by the parties is as follows:

- that the tenants will vacate the unit by no later than 1:00 p.m., Wednesday, August 31, 2011, and that an order of possession will be issued in favour of the landlord to that effect.

In concert with the above, the tenants further agree as follows:

- that they will limit the number of visitors to their unit between now and the end of tenancy;
- that they will try to ensure that the bulk of visitors to their unit between now and the end of tenancy are
  - i) associated with the provision of health care, or
  - ii) present to assist with packing, or
  - iii) present to assist with cleaning of the unit, and / or
  - iv) present to assist with moving.

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, Fact Sheets, forms and more can be accessed via the website: [www.rto.gov.bc.ca/](http://www.rto.gov.bc.ca/) As the end of tenancy approaches, the particular attention of the parties is drawn to the following sections of the Act:

**Section 35:** Condition inspection: end of tenancy

**Section 37:** Leaving the rental unit at the end of a tenancy

Section 38: Return of security and pet damage deposit

**Conclusion**

Pursuant to the agreement reached between the parties, as above, the tenants' application is withdrawn.

I hereby issue an **order of possession** in favour of the landlord effective not later than **1:00 p.m., Wednesday, August 31, 2011.** This order must be served on the tenants. Should the tenants fail to comply with the order, the 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*.

DATE: August 4, 2011

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Residential Tenancy Branch