



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

SETTLED DECISION

Dispute Codes OPC, FF

This hearing dealt with an Application for Dispute Resolution by the landlords for an order of possession and to recover the filing fee.

The parties, along with the tenant's advocate, appeared and at the outset of the hearing, the tenant's advocate announced a proposed settlement to the landlord in resolving their differences. The landlord agreed to explore a settlement.

Issue(s) to be Decided

Are the landlords entitled to an order of possession and to recover the filing fee?

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 on or before, and the tenants will move out on or before, **October 10, 2011, at 5:00 p.m.**

The tenant understands that the landlords will be issued an order of possession, based upon the settled agreement, and that if the tenants fail to move out on or before by **October 10, 2011, at 5:00 p.m.**, the landlords may serve the Order of Possession on the tenants and obtain a writ of possession.

The landlord agrees not to serve the Order of Possession unless the tenants fail to move out by **October 10, 2011, at 5:00 p.m.**

The tenant agrees that the landlords are entitled to withhold the amount of \$50.00 from the tenants' security deposit for recovery of the filing fee.

Conclusion

The landlord and tenant have reached a settled agreement that the tenancy will end on or before **October 10, 2011, at 5:00 p.m.**

Based upon the provisions of the settled agreement, as provided in section 63 of the Act, I grant the landlords an **Order of Possession** that is effective **on October 10, 2011, at 5:00 p.m.** In the event the tenants do not vacate the rental unit on or before that date, this final, legally binding Order, which is enclosed in the landlords' Decision, may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

Based upon the settled agreement, the landlords are entitled to withhold the amount of \$50.00 from the tenants' security deposit for recovery of the filing fee.

This settled 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: September 30, 2011.

Residential Tenancy Branch