



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *ET, FF*

Introduction

This hearing dealt with an application by the landlord pursuant to section 56 of the *Residential Tenancy Act*, for an order to end the tenancy early and obtain an order of possession. The landlord also applied for the filing fee. Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

Issues to be decided

Does the landlord have cause to end the tenancy early?

Background and Evidence

The tenancy started on May 01, 2010 for a monthly rent of \$1,000.00. Due to ongoing problems involving the police, the landlord spoke with the tenant about ending the tenancy. The tenant agreed to end the tenancy in August 2011, but failed to do so. The landlord filed evidence consisting of complaints from a neighbor, citations from the local municipality and police file numbers.

During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the dispute resolution officer may assist the parties settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle their dispute.

Specifically, both parties agreed to the following:

- The tenants agreed to move out on or before 1:00 p.m. on September 30, 2011. An order of possession will be issued to the landlord effective this date.
- The tenant agreed to hand over the keys to the rental unit on or before 1:00 p.m. on September 30, 2011 and leave the unit in a clean condition.
- The landlord agreed to allow the tenancy to continue until September 30, 2011 on the above terms.

Both parties agreed that the above terms comprise the full and final settlement of all aspects of this dispute for both parties.

Pursuant to the above agreement and section 55(2) of the *Residential Tenancy Act*, I am issuing a formal order of possession effective September 30, 2011. The Order may be filed in the Supreme Court for enforcement.

The landlord may retain \$50.00 for the filing fee from the security deposit.

Conclusion

I grant the landlord an order of possession effective on or before **1:00 p.m. on September 30, 2011.**

The landlord may retain \$50.00 from the security deposit.

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: September 26, 2011.

Residential Tenancy Branch