



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This hearing dealt with the landlord's application for an early end of tenancy and Order of Possession. Both parties appeared at the hearing and were provided the opportunity to make relevant submissions, in writing and orally pursuant to the Rules of Procedure, and to respond to the submissions of the other party.

I determined that the tenant's written submissions and evidence were not served upon the landlord and I did not consider the tenant's documents in making this decision. The tenant was provided the opportunity to provide verbal testimony and present witnesses in support of his position.

The tenant submitted that the landlord incorrectly spelled his last name. I have amended the application to include the alternative spelling provided by the tenant during the hearing.

Issue(s) to be Decided

1. Has the landlord established sufficient grounds for ending the tenancy early and obtaining an Order of Possession under section 56 of the Act?
2. Can the parties reach a mutual agreement to resolve this dispute?

Background and Evidence

It was undisputed that the tenancy commenced January 2011 and the tenant pays rent of \$400.00 on the 1st day of every month for a room with kitchen facilities and shared bathroom facilities.

After hearing considerable testimony from both parties and their respective witnesses, the parties reached a mutual agreement that the tenancy shall end effective December 31, 2011.

Analysis

Section 63 of the Act provides that the Director may assist parties or offer the parties an opportunity to settle their dispute and that the Director may record the settlement in the form of a decision or order.

I accept the mutual agreement reached between the parties and make it an order to be binding upon both parties. Provided for the landlord is an Order of Possession effective at 1:00 p.m. on December 31, 2011.

To be enforceable the landlord must serve the Order of Possession upon the tenant.

Conclusion

The tenancy ends December 31, 2011 by mutual agreement. An Order of Possession is provided to the landlord to serve upon the tenant.

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: December 14, 2011.

Residential Tenancy Branch