



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET, FF

### Introduction

This hearing dealt with the landlord's application for an early end of tenancy and an 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.

### Preliminary and Procedural matters

I determined the landlord had not served the landlord's documentary evidence upon the tenant and informed the parties it would not be considered. I determined the tenant's documentary evidence had been properly served and that it would be considered.

A witness appeared at the commencement of the hearing and was excluded until called upon. It was not necessary to call the witness as, after hearing testimony from both parties, the parties indicated they were willing to resolve this dispute by mutual agreement.

### Issue(s) to be Decided

What are the terms of the mutual agreement?

### Background and Evidence

To resolve this dispute, the parties mutually agreed to the following terms:

1. The tenant shall pay rent equivalent to one-half month's rent on April 1, 2012.
2. The tenancy shall end and the tenant will vacate the rental unit no later than 1:00 p.m. on April 15, 2012.
3. The landlord shall receive an Order of Possession effective at 1:00 p.m. on April 15, 2012.

4. The landlord will do whatever is reasonable to re-rent the unit starting April 16, 2012 but reserves the right to claim against the tenant if a replacement tenant cannot be secured for April 16, 2012.
5. The parties will meet their respective obligations with respect to the move-out inspection and the security deposit shall be administered in accordance with the provisions of the Act.

### Analysis

Pursuant to the authority afforded me under the Act, I accept the mutual agreement reached between the parties and make the terms an Order to be binding upon both parties.

In accordance with the terms of agreement, the landlord is provided an Order of Possession effective at 1:00 p.m. on April 15, 2012 to serve upon the tenant and enforce if necessary.

I award the filing fee to the landlord and authorize the landlord to deduct \$50.00 from the tenant's security deposit.

### Conclusion

This dispute was resolved by mutual agreement as recorded in this decision. The landlord has been provided an Order of Possession effective at 1:00 p.m. on April 15, 2012 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: March 28, 2012.

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Residential Tenancy Branch