

## **DECISION**

Dispute Codes      OPC, OPB, FF

### **Introduction**

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of Possession – Section 55; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. During the Hearing the Parties reached a settlement agreement.

### **Agreed Facts**

The tenancy began on December 1, 1996. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant in the amount of \$292.50. The Tenant provided a cheque to the Landlord for July 2012 rent however the Landlord returned this cheque to the Tenant pending the outcome of this Hearing.

### **Settlement Agreement**

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the authority under the Act, the Parties desire to settle their dispute during the proceedings, and agreement reached between the Parties during the proceedings, I find that the Parties have settled their dispute and the following records this settlement as a decision:

**The Parties mutually agree as follows:**

1. The Tenant will pay the July 2012 rent by the end of today, July 4, 2012;
2. The tenancy will continue until July 31, 2012;
3. The Tenant will vacate the unit on or before 1:00 p.m. July 31, 2012; and
4. The Landlord will obtain an Order of Possession effective 1:00 p.m. July 31, 2012.
5. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.

#### Conclusion

The Parties have resolved the dispute as set out above on the mutually agreed upon terms.

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: July 04, 2012.

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Residential Tenancy Branch