



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

**Dispute Codes:** ET

### **Introduction**

This application was brought by landlord on August 16, 2012 seeking an Order of Possession to end the tenancy early under section 56 of the *Act*. This section permits such applications in situations where it would be unreasonable for the landlord to wait for an order under section 47 of the *Act* which requires a Notice to End Tenancy effective on a minimum of one month following service.

### **Issue(s) to be Decided**

Are the circumstances which have caused the landlord to seek an early end to the tenancy of sufficient urgency to warrant the issuance of an Order of Possession under the more stringent requirements of section 56 of the *Act*?

### **Background and Evidence**

The landlord believes this tenancy began on May 1, 2012 and the tenant's recollection is that it began on June 1, 2012. There is no written agreement.

The parties agree that rent is \$800 per month and the landlord holds a security deposit of \$400 paid at the beginning of the tenancy.

During the hearing, it became apparent that the subject tenancy had become very stressful for both parties, and they agreed to pursue a settlement as provided for under section 63 of the *Act*.

## **Consent Agreement**

Accordingly, the parties agreed as follows:

1. The tenant agreed to vacate the rental unit on September 30, 2012 and that the landlord be granted an Order of Possession to take effect on that date;
2. The tenant agreed to do all that is reasonably within his power to help minimize any concerns the landlord might have about care of the property and her personal security for the remainder of the tenancy;
3. The landlord agreed to avoid contact with the tenants for the remainder of the tenancy and if it is necessary to do so, to avoid speaking to them in a loud and accusatory manner.

## **Conclusion**

The landlord's copy of this decision is accompanied by an Order of Possession, enforceable through the Supreme Court of British Columbia to take effect at 1 p.m. on September 30, 2012.

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: August 30, 2012.

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Residential Tenancy Branch