



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPR MNR

### Introduction

This hearing dealt with an Application for Dispute Resolution under the *Residential Tenancy Act* (the “Act”) by the tenants to cancel a Notice to End Tenancy for unpaid rent.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

At the start of the hearing, the tenants requested to withdraw their application to cancel the Notice to End Tenancy in full, which was permitted. Both parties requested to consider a settlement agreement with respect to ending the tenancy.

### Settlement Agreement

Section 63 of the *Act*, states:

### **Opportunity to settle dispute**

**63** (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 an order.

During the hearing, a mutual agreement between the tenants and the agent for the landlord was reached. Both parties agree that the tenancy will end at 1:00p.m. on August 31, 2012. As a result, the landlord has been granted an order of possession which is effective at 1:00p.m. on August 31, 2012.

### Conclusion

I find that the landlord is entitled to an order of possession effective at **1:00p.m. on August 31, 2012**. This order may be filed in the Supreme Court and enforced as an order of that court.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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 21, 2012

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Residential Tenancy Branch