



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPR MNR FF

Introduction

This hearing dealt with an Application for Dispute Resolution under the *Residential Tenancy Act* (the “*Act*”) by the landlord for an order of possession for unpaid rent, a monetary order for unpaid rent, and to recover the filing fee.

The landlord, a witness for the landlord, and the tenant appeared at the hearing, 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.

Preliminary Matter

At the start of the hearing, the landlord withdrew her claim for a monetary order as the tenant paid the rent due August 1, 2012 on August 21, 2012, and September 2012 rent on September 1, 2012.

Settlement Agreement and Analysis

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 parties was reached. The mutual agreement is that the tenancy will end on September 30, 2012 at 1:00 p.m. Therefore, I **grant** the landlord an order of possession effective **September 30, 2012 at 1:00 p.m.**

Conclusion

I grant the landlord an order of possession effective September 30, 2012 at 1:00 p.m. The tenant must be served with the order of possession. Should the tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

I **do not** grant a monetary order and **do not** grant the recovery of the filing fee.

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: September 14, 2012

Residential Tenancy Branch