



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Mt. Seymour Lions Housing Society  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      OPL OPQ FF

### Introduction

This hearing was convened as a result of the landlord's application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The landlord applied for an order of possession for landlord's use of property for another use and that the tenant does not qualify for subsidized housing, and to recover the filing fee.

The tenant and an agent for the landlord (the "agent") attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

The agent testified that the tenant was served by registered mail on May 22, 2013 with the Notice of a Dispute Resolution Hearing (the "Notice") and evidence. A tracking number was submitted in evidence. The agent stated that package was mailed to the rental unit. The tenant confirmed that she "does not check her mail" and the package was returned "unclaimed" as a result. The agent stated that she attended the rental unit and personally served the tenant with the Notice and evidence the day before the hearing to ensure the tenant was aware of the hearing after failing to claim her mail. The tenant confirmed that she received the landlord's evidence prior to the hearing. I find the tenant was served in accordance with the *Act*.

### Issue to be Decided

- Is the landlord entitled to an order of possession under the *Act*?

### Settlement Agreement

During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The parties agree that the tenancy will end on **July 31, 2013 at 1:00 p.m.**
2. The landlord is granted an order of possession effective **July 31, 2013 at 1:00 p.m.**
3. The landlord waives the recovery of their filing fee.
4. The landlord withdraws their application in full as part of this settlement agreement.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

### Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The landlord is granted an order of possession effective July 31, 2013 at 1:00 p.m. This order may be filed in the Supreme Court of British Columbia 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: June 20, 2013

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Residential Tenancy Branch