



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET FF

Introduction

This hearing was convened as a result of the landlords' application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The landlords applied to end the tenancy early and obtain an order of possession, and recover their filing fee.

The tenants and the landlords 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.

Both parties confirmed that they received evidence from the other party prior to the hearing and that they had the opportunity to review that evidence prior to the hearing. I find the parties were sufficiently served with evidence for the purposes of this proceeding.

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 **October 15, 2013 at 1:00 p.m.**
2. The landlords are granted an order of possession effective October 15, 2013 at 1:00 p.m. The landlords must serve the tenants with the order of possession.

3. For the remainder of the tenancy, the tenants agree to only smoke on the driveway which is approximately 35 feet from the rental unit. The landlords agree to remove any dog feces etc., and to keep the driveway clean to accommodate a smoking area for the tenants.
4. Both parties agree to put any concerns or complaints to the other party in writing for the remainder of the tenancy.
5. The landlords agree to arrange to have a plumber return to the rental unit and together with the tenants, will have the water system inspected on or before September 18, 2013, to ensure it is functioning correctly, which is to include inspecting the well. The landlords further agree to have any recommended repairs to the water system suggested by the plumber, completed in a timely manner.
6. The landlords agree to only enter the rental unit in accordance with section 29 of the *Act*.
7. The landlords agree to respect the privacy of the tenants and not to use the deck outside of the rental unit for the remainder of the tenancy.
8. The tenants agree not to have their music at a level that will disturb others, and if the tenants are advised that their music is disturbing others, the tenants agree to turn down their music.
9. The landlords withdraw 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 settlement agreement.

I grant the landlords an order of possession effective October 15, 2013 at 1:00 p.m. This order must be served on the tenants. 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: September 11, 2013

Residential Tenancy Branch

