



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Metro Vancouver Housing Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes OPC, OPB, FF

Introduction

This hearing dealt with the landlord's application for dispute resolution under the Residential Tenancy Act (the "Act") seeking an order of possession for the rental unit due to alleged cause, an order of possession due to an alleged breach by the tenants of an agreement with the landlord, and to recover the filing fee for the application.

The parties appeared, the hearing process was explained and the parties were given an opportunity to ask questions about the hearing process.

The parties submitted some of their respective positions; thereafter a mediated discussion ensued and the parties agreed to resolve their differences.

Issue(s) to be Decided

Will the tenants agree to vacate and will the landlord be issued an order of possession?

Can the parties reach a mutual agreement to resolve this dispute?

Settled Agreement

The landlord and tenants agreed that they could resolve the issues contained in the landlord's application and reach a mutual settlement under the following terms and conditions:

1. The tenants agree to vacate the rental unit by 1:00 p.m. on December 31, 2013;
2. The landlord agrees that the tenancy will continue until December 31, 2013, at 1:00 p.m.;
3. The tenants understand the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenants fail to vacate the rental unit by 1:00 p.m., December 31, 2013, the landlord may serve the order of possession on the tenant and obtain a writ of possession;
4. The tenants agree that they will pay rent for November by November 8, 2013, and the rent for December on December 1, 2013, and that if they fail to do so,

the landlord may serve the order of possession for the rental unit on them immediately;

5. The landlord agrees to not serve the order of possession on the tenants unless the tenants fail to vacate the rental unit by 1:00 p.m. on December 31, 2013, or make the monthly rent payments as agreed above; and
6. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the landlord's application and that no finding is made on the merits of the said application for dispute resolution.

Conclusion

The landlord and the tenant have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

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* and is being mailed to both the applicant and the respondents.

Dated: November 07, 2013

Residential Tenancy Branch

