



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: O

Introduction

This hearing was scheduled in response to the tenant's application for "Other." Specifically, the tenant seeks cancellation of a mutual agreement to end tenancy reached by the parties.

Background and Evidence

Pursuant to a written tenancy agreement the tenancy began September 01, 2011. Monthly rent is due and payable in advance on the first day of each month. Currently, the monthly rent is \$1,800.00. A security deposit of \$900.00 was collected.

On December 31, 2013, the parties affixed their signatures to a "Mutual Agreement to End a Tenancy" document. Pursuant to their signatures the parties agreed that tenancy would end and the tenant would vacate the unit by 1:00 p.m., February 28, 2014. In her application for dispute resolution the tenant claims that she felt she had no choice but to sign the document, and states that she now wishes to continue her tenancy in the unit.

During the hearing the parties undertook to resolve the dispute.

Analysis

The full text of the Act, Regulation, Residential Tenancy Policy Guidelines, forms and more can be accessed via the website: www.rto.gov.bc.ca

Section 63 of the Act speaks to the **Opportunity to settle dispute**, and provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion led to a resolution and it was specifically agreed as follows:

RECORD OF SETTLEMENT

- that the tenant will vacate the unit by not later than **Wednesday, April 30, 2014**, and that an **order of possession** will be issued in favour of the landlord to that effect.

As the end of tenancy nears, the attention of the parties is drawn to the following particular sections of the Act:

Section 37: **Leaving the rental unit at the end of a tenancy**

Section 38: **Return of security deposit and pet damage deposit**

Conclusion

I hereby issue an **order of possession** in favour of the landlord effective not later than **Wednesday, April 30, 2014**. This order must be served on the tenant. 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.

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*.

Dated: March 20, 2014

Residential Tenancy Branch

