



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: ET / OP, FF

Introduction

This hearing was scheduled in response to the landlord's application for an early end to tenancy / an order of possession, and recovery of the filing fee. Both parties attended and gave affirmed testimony.

Issue(s) to be Decided

Whether the landlord is entitled to the above under the Act, Regulation or tenancy agreement.

Background and Evidence

There is no written tenancy agreement in evidence for this tenancy which began in 2000. Monthly rent is \$325.00.

Pursuant to section 49 of the Act which speaks to **Landlord's notice: landlord's use of property**, the landlord issued a 2 month notice to end tenancy dated March 28, 2014. The notice was served in-person on that same date. A copy of the notice was submitted in evidence. The date shown on the notice by when the tenant must vacate the unit is July 01, 2014. In addition to seeking other outcomes, the tenant filed an application to dispute the notice on July 02, 2014; in response to the tenant's application a hearing is presently scheduled for August 28, 2014 at 1:30 p.m. (file # 823237).

On July 02, 2014, the landlord filed the current application for an early end to tenancy / an order of possession, and recovery of the filing fee. During the hearing the parties undertook to resolve the dispute which is currently before me.

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

Pursuant to section 63 of the Act which speaks to the **Opportunity to settle dispute**, the parties settled the present dispute during the hearing, and it was agreed as follows:

RECORD OF SETTLEMENT

- that the tenant will vacate the unit by no later than **October 31, 2014**, and that an **order of possession** will be issued in favour of the landlord to that effect;
- that the landlord withdraws the application to recover the \$50.00 filing fee;
- the remaining outcomes sought in the tenant's own application are as follows:
 - an order instructing the landlord to comply with the Act, Regulation or tenancy agreement, and
 - an order instructing the landlord to return the tenant's personal property;
- that if the remaining outcomes sought in the tenant's application are resolved before August 28, 2014, the tenant will cancel that hearing;

Conclusion

I hereby issue an **order of possession** in favour of the landlord effective not later than **October 31, 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: July 14, 2014

Residential Tenancy Branch

