



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: OPC

Introduction

This hearing was convened by way of conference call in response to an Application for Dispute Resolution (the “Application”) made by the Landlord for an Order of Possession for cause.

The Tenant appeared for the hearing in the absence of the Landlord and explained that he was vacating the rental unit at the end of the month as he had found a new rental suite to move to. The Tenant was placed on hold while I waited for the Landlord to appear for the hearing. The Landlord dialed into the hearing several minutes later and the Tenant and Landlord engaged in a conversation about the Tenant’s proposal to vacate the rental suite at the end of the month.

The Landlord was in agreement with the Tenant’s proposal and I explained to the parties that the agreement could be recorded as a final and legally binding decision.

Settlement Agreement

Pursuant to Section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

Both parties agreed to end the tenancy on October 31, 2014. As per the Landlord’s Application, the Landlord is granted an Order of Possession which is dated effective October 31, 2014. This order may be enforced only if the Tenant fails to vacate the rental suite by the agreed date. Copies of this order are attached to the Landlord’s copy of this decision.

The Tenant also gave consent for the Landlord to retain the Tenant’s security deposit in the amount of \$375.00 at the end of the tenancy, pursuant to Section 38(4) (b) of the Act.

This agreement is legally binding on the parties.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favor of the Landlord effective **at 1:00 pm on October 31, 2014**. This order may be filed and enforced in the Supreme Court as an order of that court if the Tenant fails to vacate the rental suite on this date and time.

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: October 20, 2014

Residential Tenancy Branch

