



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This hearing dealt with an Application for Dispute Resolution by the Landlord for an Order to end tenancy early and obtain an Order of Possession.

The Landlord's manager, R.H., appeared. The Tenants, D.V. and T.G. also appeared. The hearing process was explained and the participants were asked if they had any questions. All participants provided affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me

Preliminary Matter

R.H. confirmed that he served the Notice to End Tenancy for Cause on July 25, 2014. R.H. also testified that he served a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the "10 Day Notice"); the Tenant applied to dispute the 10 Day Notice and a hearing date of November 24, 2014 was set to deal with this application.

During the hearing, the parties reached a settlement which dealt with the present application as well as the Tenant's Application to dispute the 10 Day Notice. The terms of the settlement are as follows:

1. The Landlords shall be granted an Order of Possession effective November 1, 2014 at 1:00 p.m.
2. The Tenants shall ensure all belongings are removed from the rental unit on or before 1:00 p.m. on November 1, 2014.

3. The parties shall perform a Condition Inspection at 1:00 p.m. on November 1, 2014 and the Landlord shall complete a Condition Inspection Report and provide the Tenants with a copy in accordance with the regulations.
4. The Landlords agree that the Tenant has paid rent for October 2014 and as such the Tenants Application to Dispute the 10 Day Notice shall be cancelled.
5. The parties agree that no rent shall be paid for the Tenant's occupation of the rental unit until 1:00 p.m. on November 1, 2014.
6. The Landlord shall be at liberty to apply for Monetary Orders pursuant to section 67 and 38(1)(d) of the Act should the Tenant damage the rental unit, or the Landlords require compensation for damage or loss under the Act.

Pursuant to section 63 of the Act, I record this settlement in the form of this my decision. As well, pursuant to section 63, the Landlord is entitled to an Order of Possession effective **1:00 p.m. on November 1, 2014**. This order may be filed in the Supreme Court and enforced as an order of that Court.

Conclusion

The parties resolved matters by agreement. The terms of the settlement are contained in this decision and the Landlord is granted an Order of Possession.

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 22, 2014

Residential Tenancy Branch

