



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPL, O

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for:

- an order of possession for landlord's use pursuant to section 55; and
- an "other" remedy.

Both parties appeared at the appointed time. Neither party raised any issue with service of documents.

I asked the landlord what "other" remedy she was seeking. The landlord was unable to tell me to what this remedy relates. The landlord withdrew her request for an "other" remedy.

It was apparent from the landlord's evidence that the tenant was agreeing to vacate the premises in accordance with the 2 Month Notice to End Tenancy for Landlord's Use (the 2 Month Notice). I confirmed with the tenant that this was the case. I asked the tenant if he would agree to leave by this date. He agreed.

### Analysis

Pursuant to section 63 of the Act, an 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. During the hearing the parties discussed the issues between them, engaged in a conversation, and achieved a resolution of their dispute.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agreed to withdraw her application.
2. The tenant agreed to vacate the rental unit on or before one o'clock in the afternoon on 31 May 2015.

Each party stated that they understood the terms of this agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute for both parties.

### Conclusion

The landlord application is withdrawn.

The tenant's rights under the 2 Month Notice are preserved.

The attached order of possession is to be used by the landlord if the tenant does not vacate the rental premises in accordance with their agreement. The landlord is provided with this order in the above terms and the landlord should serve the tenant with this order so that it may enforce it in the event that the tenant does not vacate the premises by the time and date set out in their agreement. Should the tenant fail to comply with this order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under subsection 9.1(1) of the Act.

Dated: April 24, 2015

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Residential Tenancy Branch

