



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPL

### Introduction

This hearing dealt with the landlords' application pursuant to section 55 of the *Residential Tenancy Act* for an Order of Possession for landlord's use of the property. Both parties attended the hearing and were given a full opportunity to be heard, to present their sworn testimony, to make submissions, to call witnesses and to cross-examine one another.

The tenant confirmed that the landlords' agent (the agent) handed him a 2 Month Notice to End Tenancy for Landlord's Use of Property (the 2 Month Notice) on July 15, 2015. The tenant also confirmed that the agent handed him a copy of the landlords' dispute resolution hearing package and written evidence package on or about July 31, 2015. I find that the tenant was duly served with all of the above documents in accordance with the *Act*.

### Issues(s) to be Decided

Is the landlord entitled to an Order of Possession for landlord's use of the property?

### Background and Evidence

This tenancy began in 1982. Monthly rent is currently set at \$1,420.00 for these rental premises, payable in advance on the first of each month.

The landlords' 2 Month Notice entered into written evidence by the landlords identified September 30, 2015 as the effective date to end this tenancy as the landlords have sold the rental property to new owners who plan to reside in these premises.

### Analysis

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. During the hearing, the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to a resolution of their dispute under the following final and binding terms:

1. Both parties agreed that this tenancy will end by 1:00 p.m. on September 30, 2015, by which time the tenant and all other occupants of these premises under his command will have vacated the rental unit.
2. Both parties agreed that these terms constituted a final and binding resolution of all issues identified in the landlords' application for dispute resolution.

#### Conclusion

To give effect to the settlement reached between the parties and as discussed at the hearing, I issue the attached Order of Possession to be used by the landlords if the tenant and all other occupants under his command do not vacate the rental premises in accordance with their agreement. The landlord is provided with these Orders in the above terms and the tenant must be served with an Order in the event that the premises are not vacated 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 Section 9.1(1) of the *Residential Tenancy Act*.

Dated: August 26, 2015

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Residential Tenancy Branch

