



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNC, MT, MNR, MNSD, FF

Introduction

This hearing was convened in response to an application by the Tenant and an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”).

The Tenant applied for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 47;
2. An Order allowing more time to apply to cancel the notice to end tenancy - Section 66; and
3. An Order to recover the filing fee for this application - Section 72.

The Landlord applied for Orders as follows:

1. A Monetary Order for unpaid rent - Section 67;
2. An Order to retain the security deposit - Section 38; and
3. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. After hearing evidence from each Party the Parties entered into negotiations and settled the dispute.

Agreed Facts

The tenancy began on or about September 21, 2015. Rent of \$2,000.00 is payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit of \$1,000.00. The Tenant paid rent for the first week of April 2016.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end no later than midnight on April 16, 2016;**
- 2. No compensation is payable by the Landlord to the Tenant;**
- 3. The Tenant will no later than 5:00 p.m. on April 7, 2016 pay the Landlord \$500.00 as rent to and including April 16, 2016 and no further rent is payable;**
- 4. The Landlord will have immediate access to the property in order to remove the fence; and**
- 5. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.
- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. In order to give effect to the agreement I grant the Landlord an order of possession effective midnight on April 16, 2016.

Conclusion

The Parties have settled the dispute.

I grant the Landlord an order of possession effective midnight on April 16, 2016.

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: April 06, 2016

Residential Tenancy Branch