



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes O

Introduction

This reconvened hearing dealt with applications from both the landlords and the tenant under the Residential Tenancy Act (“the Act”). This hearing dealt with the landlord’s application pursuant to the Act for an Order of Possession at the end of a fixed term tenancy pursuant to section 55. The tenant applied to dispute any end to the tenancy.

On the previous hearing date, the tenant’s agent successfully applied for an adjournment. Both parties attended this hearing and were given an opportunity to be heard, to present sworn testimony and to make submissions. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Background and Evidence

This tenancy began in September 1, 2015 as a fixed term to April 30, 2015 with a rental amount of \$1580.00 payable on the first of each month. The landlord testified that he continues to hold a \$790.00 security deposit and a \$790.00 pet damage deposit paid by the tenant at the outset of this tenancy.

The tenant required time to vacate the rental unit. The landlord required a vacant unit for renovations. The tenant agreed to vacate the residence by June 30, 2016 and the landlord agreed to a reduced rent amount for the month of June 2016.

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. Given the

agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a decision:

The Parties mutually agreed as follows:

1. The landlord agreed to reduce the tenant's outstanding June 2016 rent to \$790.00 payable by June 29, 2016.
2. The tenant agreed to vacate the rental unit on or before June 30, 2016 at one in the afternoon.
3. These terms comprise the full and final settlement of all aspects of this dispute for both parties.

Conclusion

To give effect to the settlement reached between the parties, I grant an Order of Possession to the landlord effective June 30, 2016. Should the tenant(s) fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

To give further effect to the settlement reached between the parties, I issue a monetary order in favour of the landlord in the amount of \$790.00 to satisfy the outstanding June 2016 rent.

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: June 22, 2016

Residential Tenancy Branch