



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR, OPR, 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 on June 17, 2016 for:

1. An Order cancelling a notice to end tenancy - Section 46.

The Landlord applied on June 21, 2016 for:

1. An Order of Possession - Section 55;
2. An Order for unpaid rent or utilities - Section 67; and
3. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. During the Hearing the Parties reached an agreement to resolve the dispute.

Agreed Facts

The tenancy began on September 1, 2014. Rent in the amount of \$871.25 is payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant of \$425.00 and a pet deposit of \$210.00.

The Tenant failed to pay rent on Jun 1, 2016 and on June 14, 2016 the Landlord served the Tenant in person with a 10 day notice to end tenancy for unpaid rent (the “Notice”).

As of the date of the hearing all rents due and owing have been paid by the Tenant and the Landlord provided receipts for “use and occupancy only”.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The Tenant will move out of the unit no later than August 31, 2016; and**
- 2. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the settlement may be recorded in the form of a decision or order. In order to give effect to the settlement agreement I provide the Landlord with an order of possession.

Conclusion

The dispute has been settled by mutual agreement.

I grant the Landlord an order of possession effective 1:00 p.m. on August 31, 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: July 25, 2016

Residential Tenancy Branch

