



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes AAT CNL FF LA MNDC OLC OPT RPP

Introduction

This hearing was convened as a result of the Tenant's Application for Dispute Resolution, dated June 3, 2016 (the "Application").

The Tenant seeks the following relief pursuant to the *Residential Tenancy Act* (the "Act"): an order compelling the Landlord to allow access to the rental unit; an order cancelling a notice to end tenancy for landlord's use of property; an order granting recovery of the filing fee; an order authorizing the Tenant to change the locks of the rental unit; an order for money owed or compensation for damage or loss; an order compelling the Landlord to comply with the Act, regulation, or the tenancy agreement; an order of possession with respect to the rental unit; and an order compelling the Landlord to return the Tenant's property.

The Tenant attended the hearing and was assisted by D.S., her legal advocate. The Landlord attended the hearing on his own behalf. Both parties provided their solemn affirmation.

Settlement Agreement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to proceed.

During the hearing, the parties mutually agreed to settle the Tenant's claim as follows:

1. The parties agree the tenancy will end on August 31, 2016, at 1:00 p.m.;
2. The Tenant agrees to vacate the rental unit no later than August 31, 2016, at 1:00 p.m.;

3. The Landlord agrees to provide reasonable access to the rental unit to remove her belongings between the hours of 8:00 a.m. and 8:00 p.m., which access will not unreasonably be withheld;
4. The parties agreed to communicate via email for all purposes, including to obtain access to the rental unit; and
5. The Tenant withdraws her application in full as part of this mutually agreed settlement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

As this matter was settled, I decline to award recovery of filing fees to the Tenant.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

In support of the mutually settled agreement described above, and with the agreement of the parties, the Landlord is granted an order of possession, which will be effective August 31, 2016, at 1:00 p.m. The order of possession may be filed in 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: July 11, 2016

Residential Tenancy Branch