



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC OPC MND OLC AS LRE FF

### Introduction

This hearing dealt with applications from both the landlord\_ and the tenant\_ under the *Residential Tenancy Act* ("the *Act*"). The landlord applied for an Order of Possession for Cause pursuant to section 55; a monetary order for unpaid rent and for damage to the unit, site or property pursuant to section 67; and authorization to recover the filing fee for this application from the tenant pursuant to section 72.

The tenant applied to cancel the landlord's 1 Month Notice to End Tenancy for Cause pursuant to section 47; an order requiring the landlord to comply with the *Act* pursuant to section 62; an order to set conditions on the landlord's right to enter the rental unit pursuant to section 70; an order allowing the tenant to sublet pursuant to section 65; and authorization to recover the filing fee for this application from the landlord pursuant to section 72.

Both parties attended the hearing and were given an opportunity to be heard, to present sworn testimony and to make submissions. Both parties acknowledged receipt of the other's application for dispute resolution. 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

The landlord and tenant agreed that there is no outstanding rent or other monetary issues with respect to the ongoing tenancy. The parties agreed that the tenant would vacate the unit on October 31, 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 tenant agreed to vacate the rental unit on or before October 31, 2016 at one in the afternoon.
2. The parties agree that they will address the security deposit at the end of tenancy following the provisions of the *Act* provided above and any other relevant sections.
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, the landlord is provided with a formal copy of an Order of Possession effective October 31, 2016 **to be used only in the event that the tenant fails to meet the terms of the above agreement.** 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.

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: October 04, 2016

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Residential Tenancy Branch