



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes:

**OPL, FF**

### Introduction

This hearing was scheduled in response to the landlord's Application for Dispute Resolution, in which the landlord has requested an order of possession based on an undisputed two month Notice to end tenancy for landlords' use of the property, issued on July 1, 2016 and to recover the filing fee from the tenants for the cost of this Application for Dispute Resolution.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The participants were affirmed. The process of the hearing was explained.

### Mutually Settled Agreement

The tenants confirmed that they plan on vacating to take possession of a new rental unit effective January 1, 2017. The landlord said they would agree to end the tenancy at the end of December, 2016.

The process of a mutually settled agreement was explained and the parties both indicated a full understanding that by agreement the tenants would provide vacant possession to the landlord. The parties also understood that an order of possession would be issued, in support of the mutual agreement ending the tenancy.

The parties mutually agreed that:

- The tenancy will end effective 1:00 p.m. on December 31, 2016; and
- The landlord is entitled to an order of possession effective December 31, 2016 at 1:00 p.m.

Section 63 of the Act provides:

### ***Opportunity to settle dispute***

**63** (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 an order.*

Therefore, in support of the mutually settled agreement I find and order that the tenancy will end effective **December 31, 2016 at 1:00 p.m.**

The landlord has been granted an order of possession that is effective **1:00 p.m. on December 31, 2016**. This order may be served on the tenants, filed with the Supreme Court of British Columbia and enforced as an order of that Court.

### Conclusion

The parties reached a mutually settled agreement to end the tenancy.

The landlord is entitled to an order of possession.

This decision and mutually settled agreement is final and binding on the parties, unless otherwise provided under the Act, and 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: November 22, 2016

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Residential Tenancy Branch