



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OLC, RP, FF

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution filed January 5, 2017 wherein the Tenant sought an Order that the Landlord comply with the *Residential Tenancy Act*, an Order that the Landlord make repairs to the rental unit and recovery of the filing fee.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

At the outset of the hearing the Landlord confirmed the legal name of the Landlord as set out on the tenancy agreement. Pursuant to section 64(3)(c) of the *Residential Tenancy Act* I amend the Tenant's Application for Dispute Resolution to accurately name the Landlord.

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims. The terms of their settlement follow.

Settlement and Conclusion

1. The tenancy shall end on February 28, 2017 and the Landlord shall be granted an Order of Possession effective 1:00 p.m. on February 28, 2017. The Landlord must serve the Order on the Tenant as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court; and,

2. the Landlord shall pay the Tenant the sum of \$50.00 to the Tenant as reimbursement of one half of the filing fee paid by the Tenant. The Tenant is granted a Monetary Order for this sum and must serve a copy on the Landlord as soon as possible. If necessary, the Monetary Order may be filed and enforced in the B.C. Provincial Court (Small Claims Division).

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: January 30, 2017

Residential Tenancy Branch