



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding H

DECISION

Dispute Codes OPC FF

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an order of possession for cause pursuant to section 55;
- authorization to recover the filing fee for this application pursuant to section 72.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

Terms of Settlement

Pursuant to section 63 of the Act, an 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agrees to withdraw the 1Month Notice to End Tenancy dated January 30, 2017.
2. The tenant and landlord agree **that this tenancy will end no later than 1:00 p.m. on April 15, 2017**, and, the landlord will be granted an **Order of Possession**.
3. The parties agree that this tenancy will continue until the above date only on condition that the tenant pays to the landlord the amount of \$375.00 as pro-rated rent payable on April 1, 2017 for the period of April 1-15, 2017.

4. If the tenant fails to make the above payment, the tenant and landlord agree **that this tenancy will end** *no later* than **1:00 p.m. on April 2, 2017**, and, the landlord may enforce the **Order of Possession** effective this date. The landlord agrees to not enforce this Order until April 15, 2017 provided the tenant satisfies the above payment terms.
5. The tenant and landlord agree that the landlord will recover 50% of the \$100.00 filing fee for this application from the tenant's security deposit.

Each party confirmed that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

This Decision and Settlement Agreement is final and binding on both parties.

Conclusion

Subject to the conditions described above, I grant an Order of Possession to the landlord effective **1:00 p.m. on April 2, 2017**. 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: March 16, 2017

Residential Tenancy Branch