



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION NAD RECORD OF SETTLEMENT

Dispute Codes OPC, MND, MNDC, MNSD, FF; CNC

During the hearing the landlord and tenant agreed that the tenancy would end March 31, 2017 at 1:00 p.m. The landlord's application to retain the security deposit is premature as the tenant has not vacated the rental unit. For this reason, this portion of the landlord's application is dismissed with leave to reapply.

Section 63 of the *Act* provides that if the parties settle their dispute during a hearing the Director may record the settlement in the form of a decision or an order. Pursuant to the above provision, discussion between the parties during the hearing led to a settlement / resolution. Specifically, the parties agreed and confirmed as follows;

1. The tenant and landlord agree that this tenancy will end no later than Friday, March 31, 2017 at 1:00 p.m.;
2. the landlord will receive an order of possession effective March 31, 2017 at 1:00 p.m.;
3. the landlord agrees to withdraw her monetary claim;
4. the tenant and landlord agree that the tenant will remove the shed from the balcony and re-paint the rental unit to the original colour no later than March 31, 2017.

So as to perfect this settlement agreement, I grant the landlord an order of possession, effective 1:00 p.m. March 31, 2017. The tenant must be served with this order. If the landlord serves the order of possession on the tenant and the tenant fails to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that court.

The above particulars comprise **full and final settlement** of all aspects of the dispute arising from this application.

**This decision, order of possession, and settlement agreement are final and binding on both parties.**

### Conclusion

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 23, 2017

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Residential Tenancy Branch

