



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION AND RECORD OF SETTLEMENT**

### **Dispute Codes**

MNDC, OPT, AAT, FF

### **Introduction**

This hearing was convened in response to an application filed by the tenant seeking Orders under the Residential Tenancy Act (the Act). The tenant and the landlord each attended the conference call hearing and provided testimony.

### **Background and Evidence**

**Section 63** of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the parties during the hearing led to a resolution. Specifically, it was agreed as follows;

1. Both parties agree that **the tenancy will end** and the tenant will vacate the rental unit by no later than on **April 20, 2017, at 1:00 p.m.** and the landlord will be provided an Order of Possession effective the agreed date and time.
2. Both parties agreed that the landlord will provide/pay the tenant **\$5000.00** as settlement of all claims by the tenant respecting this tenancy.

So as to perfect this agreement the landlord is given an **Order of Possession** to reflect condition #1 of this agreement. The tenant must be served the Order. If necessary, this Order may be filed in the Supreme Court and enforced as an Order of that Court.

To additionally perfect this agreement the tenant is given a **Monetary Order** in the amount of **\$5000.00**. Only if necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

These particulars comprise the **full and final settlement** of all aspects of this proceeding for both parties. Both parties testified they understood and agreed to the above terms as **final and binding on both parties** and that any Order is enforceable. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

### **Conclusion**

The parties settled all aspects of their dispute in the above terms.

**This Decision and Settlement are final and binding.**

*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: April 18, 2017

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Residential Tenancy Branch