



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **AGREEMENT REACHED BETWEEN BOTH PARTIES**

### Dispute Codes

OPB, FF, O

### Introduction

This matter dealt with an application by the landlord for an Order of Possession because the tenant breached an agreement with the landlord; other issues; and to recover the filing fee from the tenant for the cost of this proceeding.

**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;

- The tenant agreed that she has fully vacated the rental unit as of May 14, 2017 with the exception of one vehicle in the yard and that the landlord may now take possession of the rental unit;
- The tenant agreed to remove the vehicle from the yard by May 20, 2017 and to cover all costs for its removal;
- The tenant agrees that if she fails to remove the vehicle as agreed then the landlord may have the vehicle towed from the yard to the tenant's forwarding address provided at this hearing and the landlord may peruse the tenant, by filing an application for a Monetary Order through the Residential Tenancy Branch, to recover any costs incurred;

- The tenant agreed to return the keys to the rental unit including the mailbox key between 6.00 p.m. and 9.00 p.m. tonight, May 15, 2017. These keys will be left at the neighbour's house; the tenant will telephone the landlord prior to arrival to ensure the gate is opened for her to entry the neighbour's property.
- The tenant agreed the landlord may retain **\$100.00** for cost of filing this application from the tenant's security deposit held in trust of \$200.00. The balance of the security deposit must be dealt with in accordance with s. 38 of the *Act*.

These particulars comprise the **full and final settlement** of all aspects of this dispute for both parties. 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. Both parties understood and agreed that the above terms settle all aspects of the dispute and are **final and binding on both parties** and that any Order is enforceable.

### Conclusion

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties are bound by the terms of this agreement. Should either party violate the terms of this settled agreement, it is open to the other party to take steps under the *Act* to seek remedy.

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: May 15, 2017

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Residential Tenancy Branch