



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

OPB, O

Introduction

This hearing convened as a result of the Landlords' Application for Dispute Resolution wherein the Landlord requested an Order of Possession based on the expiration of a fixed term.

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.

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 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.

The terms of their settlement follow.

Settlement and Conclusion

1. By no later than 4:00 p.m. on June 12, 2017, the Tenant shall pay to the Landlords the sum of \$850.00 representing a \$50.00 per day charge for use and occupancy of the rental unit past the May 31, 2017 expiration of the fixed term on; more specifically, this payment includes the dates June 1, 2017 to June 17, 2017.
2. In the event the above \$850.00 payment is made,
 - a. the Tenant shall be permitted to remain in the rental unit until 6:00 p.m. on Saturday June 17, 2017 following which the tenancy shall end;

- b. the Landlords shall be granted an Order of Possession effective 6:00 p.m. on Saturday June 17, 2017; and,
 - c. The Landlords must serve this Order of Possession on the Tenant as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court.
- 3. In the event the Tenant fails to pay the \$850.00 as provided for in paragraph 2,
 - a. the tenancy shall end and the Tenant shall vacate the rental unit by no later than two (2) days after service of the Order of Possession;
 - b. the Landlords are granted an Order of Possession effective two (2) days after service;
 - c. The Landlords must serve the Order of Possession on the Tenant as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court; and,
 - d. The Landlords are granted a Monetary Order in the amount of \$850.00. This Order must be served on the Tenant and may be filed and enforce in the B.C. Provincial Court (Small Claims Division), if necessary.
- 4. The Tenant shall return the exterior lock to the original lock and return all keys to the Landlords by no later than 6:00 p.m. on June 17, 2017.
- 5. The Landlords shall be entitled to seek further monetary compensation, including any further loss of rent, and claims relating to the condition of the rental unit as the case may be.

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: June 12, 2017

Residential Tenancy Branch