



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW HEARING DECISION

Dispute Codes OPR, FF

Introduction

This review hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order of Possession - Section 55; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. At the outset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement. 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.

Preliminary Matter

The Tenant states that his first and last name is set out in the wrong order in the Landlord’s application. The Landlord declines to amend the application.

Agreed Facts

The tenancy, under written agreement, started on November 1, 2016. Rent of \$1,050.00 was payable in advance on the first day of each month. At the outset of the tenancy, the Landlord collected a security deposit from the Tenant of \$525.00. The Tenants paid the Landlord for the \$100.00 filing fee ordered from the original decision dated September 19, 2018.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end at 1:00 p.m. on December 31, 2018;**
- 2. The Tenants will move out of the unit no later than 1:00 p.m. on December 31, 2018; and**
- 3. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the settlement may be recorded in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. In order to give effect to the agreement I provide the Landlord with an order of possession effective 1:00 p.m. on December 31, 2018. The original decision and order of possession dated September 19, 2018, set aside in the Review Consideration Decision dated October 1, 2018, are cancelled and replaced with this Review Decision and Order of Possession. The monetary order dated September 19, 2018 has been fully satisfied.

Conclusion

The Parties have settled the dispute.

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: November 13, 2018

Residential Tenancy Branch