



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes: ET, FFL

Introduction

This hearing was convened in response to an application by the landlord pursuant to Section 56 of the *Residential Tenancy Act* (the Act) to end a tenancy early with an order of possession and to recover the filing fee. Both parties attended the hearing and participated in the hearing with their testimony. The tenant acknowledged receiving the application and evidence of the landlord.

During the course of the hearing the parties briefly discussed their dispute and each agreed to settle the status of the tenancy to the full satisfaction of both parties.

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing and an Arbitrator may record their settlement as a Decision and Order. Pursuant to this provision, discussion between the parties led to resolution of the relevant matters. As a result the parties confirmed to me that **they both agreed as follows;**

1. the tenancy will end no later than **February 28, 2019** and the landlord will receive an Order of Possession effective the agreed date. The parties further agreed the tenant could vacate sooner with notice to the landlord.

Both parties testified in the hearing confirming to me that they understood and agreed to the above terms, and that the settlement particulars comprise the full and final settlement of all aspects of this dispute.

So as to perfect this settlement agreement,

The landlord is given an **Order of Possession**, effective **February 28, 2019**. The tenant must be served with this Order. If 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.

As the parties mutually resolved their dispute I find that the landlord will bear the cost associated with filing their application.

Conclusion

The parties settled their dispute respecting the landlord's application in the above terms.

This Decision and Settlement agreement 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: November 14, 2018

Residential Tenancy Branch