



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      OPN, FFL

### Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

- An order of possession for tenant's Notice to End Tenancy under section 45; and
- Authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Both parties attended the hearing and were given a full opportunity to be heard, to present their affirmed testimony and to make submissions. The witness JL provided affirmed testimony for the tenant. Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 56 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

### **The Parties mutually agreed as follows:**

- The month-to-month tenancy between the parties continues pursuant to the terms of the lease and will end on February 28, 2019 at 1:00 PM at which time the tenant and all occupants will have vacated the unit;
- The security deposit of \$410.00 held by the landlord will be dealt with according to the *Act* at the end of the tenancy.

To give effect to the settlement reached between the parties, I issue to the landlord the attached order of possession requiring the tenant to vacate the unit on or before February 28, 2019 at 1:00 PM, to be served upon the tenant **only if** the tenant fails to vacate the unit by that time.

These terms comprise the full and final settlement of all aspects of this dispute for both parties.

The parties are still bound by all the rights, responsibilities, terms and conditions of the tenancy agreement, the *Act*, and the associated regulations.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this dispute.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

### Conclusion

The landlord is granted an order of possession effective at 1:00 PM on February 28, 2019. The order of possession must be served upon the tenants. If the tenants do not comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that court.

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: December 05, 2018

---

Residential Tenancy Branch