



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

REVIEW HEARING DECISION

Dispute Codes

OPR MNR

Introduction

The Landlord filed an application for direct request, and a decision was rendered on June 3, 2019. A monetary order and an order of possession was issued against the Tenants.

Subsequently, the Tenants applied for a review consideration, and stated that they were not served properly with the Notice to end Tenancy, or the Notice of Hearing. An arbitrator reviewed the Tenants' application for review consideration and ordered this new hearing (review hearing).

At a review hearing, I may confirm, vary or set aside the original decision or order.

Settlement Agreement

During the hearing, a mutual agreement was discussed and both parties made an agreement with respect to when and how the tenancy will end. All parties were all in agreement with the tenancy ending as laid out below.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute 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 Tenants will move out of the rental unit by **September 15, 2019, at 1pm.**
- The Tenants are at liberty to move out before this time.
- Rent is due on the first of the month and the Tenants do not owe any rent for September 2019, and these two weeks are provided free of charge to facilitate this agreement.
- The Landlord will, forthwith, provide the Tenants with a satisfactory rental reference letter, so that the Tenant can look for new accommodation.

- These terms 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.

To give effect to the settlement reached by the parties, I also grant the Landlord an Order of Possession effective September 15, 2019, at 1pm to reflect the end of tenancy.

Conclusion

In support of the agreement described above, the landlord is granted an order of possession effective September 15, 2019, at 1pm and after service on the tenants. The Landlord may serve and enforce this Order if the Tenants fail to move out as specified above.

This Order **must** be read in conjunction with the above settlement agreement and the Landlord **must not** seek to enforce this Order on the Tenants, unless the Tenants fail to meet the conditions of this agreement.

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: August 19, 2019

Residential Tenancy Branch