



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

This teleconference hearing was scheduled in response to an application by the Landlord under the *Residential Tenancy Act* (the “*Act*”) for an Order of Possession to end the tenancy early pursuant to Section 56 of the *Act*, and for the recovery of the filing fee paid for the Application for Dispute Resolution.

The Landlord and Landlord’s spouse (the “Landlord”) were present for the teleconference hearing, as were the three Tenants. The Tenants confirmed receipt of the Notice of Dispute Resolution Proceeding package and a copy of the Landlord’s documentary evidence. However, the Tenants stated that they received a link to video evidence that they were unable to view. The Landlord confirmed that a link was sent to the Tenants and he did not confirm that they were able to view the video evidence as required by rule 3.10.5 of the *Residential Tenancy Branch Rules of Procedure*. Therefore, the digital evidence is not accepted.

However, during the hearing the parties reached a settlement agreement which will be outlined below.

Settlement Agreement

In accordance with Section 63 of the *Act*, the parties were provided with the opportunity to discuss a settlement and for a settlement to be recorded in the form of a decision and/or order. During the hearing the parties reached the following settlement agreement:

1. The parties agree that the tenancy will end on September 29, 2019 at 1:00 pm.

2. An Order of Possession will be granted to the Landlord to uphold this agreement. The Order of Possession will be effective September 29, 2019 at 1:00 pm.

Both parties confirmed that they were entering into the settlement agreement voluntarily and that they were not pressured to do so. The parties also confirmed their understanding that a settlement agreement is final and binding and constitutes full resolution of the Landlord's Application for Dispute Resolution.

Conclusion

The parties are ordered to follow the terms of the settlement agreement outlined above.

To uphold the settlement agreement, I grant an Order of Possession to the Landlord effective **September 29, 2019 at 1:00 pm**. This Order must be served on the Tenants. Should the Tenants fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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: September 24, 2019

Residential Tenancy Branch