



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BOYDHILL HOLDINGS LTD.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET, FF

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

- an early end to this tenancy and an order of possession pursuant to section 56;
- authorization to recover its filing fee for this application from the tenants pursuant to section 72.

The landlord's agent (the landlord) attended the hearing via conference call and provided testimony. The tenants attended but did not submit any documentary evidence. The landlord stated that the notice of hearing package and the submitted documentary evidence was served to each of the tenants via Canada Post Registered Mail on September 19, 2019. I accept the undisputed testimony of the landlord and find that the tenants have been properly served as per sections 88 and 89 of the Act.

At the outset, discussions with both parties resulted in a change to the listed dispute address. Both parties confirmed that there was no unit number as this was a house as that part of the address was entered in error. As such, the residential tenancy branch file shall be amended to reflect the actual address.

Section 63 of the Residential Tenancy Act provides that the parties may attempt to settle their dispute during a hearing. Pursuant to this provision, discussion between the two parties during the hearing led to a resolution. Specifically, it was agreed as follows:

Both parties agreed to mutually end the tenancy on November 30, 2019, by which time the tenants will have vacated the rental unit.

The landlord agreed to cancel the application for an early end to the tenancy and to obtain an order of possession.

Both parties agreed that the above noted particulars comprised a full and final settlement of all aspects of the dispute arising from this application for dispute resolution.

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.

I decline to make any order regarding the filing fee as this was a settlement and not a decision on the merits.

In order to implement the above settlement reached between the parties, I issue an Order of Possession to be used by the landlord if the tenants fail to vacate the rental premises in accordance with their agreement by 1:00 pm on November 30, 2019. The landlord is provided with this orders in the above terms and the tenant(s) must be served with this Order in the event that the tenants do not vacate the premises by the time and date set out in their agreement. Should the tenants fail to comply with this Order, the 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: October 15, 2019

Residential Tenancy Branch