



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET, OPR, MNR, FF

### Introduction

This hearing dealt with an Application for Dispute Resolution by the landlord to end the tenancy and obtain an order of possession, for an order of possession for unpaid rent, for a monetary order for unpaid rent and to recover the cost of the filing fee.

Both parties appeared, gave affirmed testimony, and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

### Preliminary matter

At the outset of the hearing the parties agreed that the landlord's application for an order of possession and a monetary order for unpaid rent is withdrawn. The landlord is granted leave to reapply for a monetary order for unpaid rent.

### Settlement agreement on early end to tenancy and obtain an order of possession.

The parties agreed to settle this matter, on the following conditions:

1. The parties agreed that the tenancy will end on November 16, 2019 at 1:00PM;
2. The parties agreed that between today's date October 29, 2019 and November 16, 2019, the tenant will not reside in the rental premise (tenant has temporary housing);
3. The parties agreed that the tenant may attend the rental unit between the hours of 9:00am and 9:00pm, with advance telephone notice to the landlord for the sole purpose of preparing their belongings for removal;

4. The parties agreed that the landlord is authorized to change the locks. The landlord will open the door prior to the tenant arriving and will secure the premise when informed by the tenant or 3<sup>rd</sup> party that they are leaving;
5. The tenant must have a third party attend with them, and stay with them, the entire time they are in the rental unit, this could be a VIHA worker, family member, friend or volunteer. The landlord is entitled to verify a third party is in attendance with the tenant;
6. The parties agreed any breach of clause 5 noted above, that the landlord may end the tenancy with two days' notice to the tenant.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

### Conclusion

The landlord is granted an order of possession effective November 16, 2019.  
The landlord is granted an order of possession effective two (2) days after service, if the tenant breaches clause #5 of the 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: October 29, 2019

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Residential Tenancy Branch