



# 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 was present for the hearing along with two law students and their supervisor (the “Landlord”). Both Tenants were also present, and the parties were affirmed to be truthful in their testimony. The Tenants confirmed receipt of the Notice of Dispute Resolution Proceeding package and a copy of the Landlord’s evidence. The Landlord confirmed receipt of the Tenants’ evidence, although it was received one day prior to the hearing. As the Tenants’ evidence was not served at least 7 days prior to the hearing in accordance with the *Residential Tenancy Branch Rules of Procedure*, the Tenants’ evidence is not accepted and will not be considered in this decision.

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

### Settlement Agreement

As stated in Section 63 of the *Act*, parties may be provided the opportunity to settle their dispute and for an agreement reached to be recorded in the form of a decision and/or order. During the hearing, the parties reached the following settlement agreement:

1. The tenancy will end on November 1, 2019 at 1:00 pm.
2. The Landlord is issued an Order of Possession effective on November 1, 2019 at 1:00 pm. This Order must be served on the Tenants.
3. The parties will meet at the rental unit at 12:00 pm on November 1, 2019 to conduct a move-out Condition Inspection Report.

Both parties confirmed that they were entering into the settlement agreement voluntarily and of their own free will. They also confirmed their understanding that a settlement agreement is final and binding and constitutes full resolution of the claims on the 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 on **November 1, 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: October 31, 2019

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Residential Tenancy Branch