



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

This hearing convened as a result of a Landlords' Application for Dispute Resolution, filed on October 17, 2019, in which the Landlord sought an early end to tenancy pursuant to section 66(1) of the *Residential Tenancy Act* as well as recovery of the filing fee.

The hearing of the Landlords' Application was scheduled for teleconference at 11:00 a.m. on November 4, 2019. Both parties called into the hearing.

Settlement and Conclusion

At the outset of the hearing the Landlord's son, B.S., advised that the parties had agreed to a mutual agreement to end the tenancy on December 1, 2019. The Tenant confirmed this information.

Pursuant to section 63 of the *Act*, I record their agreement in this my Decision and resulting Order of Possession. As the parties resolved matters by agreement, I make no findings of fact or law with respect to their relative claims. The terms of the settlement are as follows:

1. The Tenant will vacate the rental unit by no later than **1:00 p.m. on December 1, 2019.**
2. The Landlord is entitled to an Order of Possession effective **1:00 p.m. on December 1, 2019.** This Order may be filed in the Supreme Court and enforced as an Order of that Court.

Recording of hearing

During the hearing the Tenant stated that he was recording the hearing.

As I informed the Tenant, recordings of residential tenancy branch hearings are prohibited unless conducted in accordance with the *Rules of Procedure*. For greater clarity I reproduce the relevant *Residential Tenancy Branch Rules of Procedure* relating to recordings:

Recording of hearings

6.11 Recording prohibited

Persons are prohibited from recording dispute resolution hearings, except as allowed by Rule 6.12. Prohibited recording includes any audio, photographic, video or digital recording.

6.12 Official transcript

A party requesting an official transcript by an accredited Court Reporter must make a written request stating the reasons for the request to the other party and to the Residential Tenancy Branch directly or through a Service BC Office not less than seven days before the hearing.

An arbitrator will determine whether to grant the request and will provide written reasons to all parties and issue any necessary orders.

If permission is granted, the party making the request must:

- a) prior to the hearing, provide the Residential Tenancy Branch with proof of the Court Reporter's accreditation;
- b) make all necessary arrangements for attendance by the accredited Court Reporter and their necessary equipment;
- c) pay the cost of the accredited Court Reporter's attendance at the dispute resolution hearing;
- d) pay the cost of the Court Reporter's services and the cost of transcripts; and
- e) provide all parties and the Residential Tenancy Branch with official copies of the transcript.

6.13 Restricted use of recordings

Transcripts may not be used for any purpose other than the proceeding, a review or any court proceeding.

During the hearing I Ordered the Tenant to cease any recording of the hearing, destroy any copy of the recording he had made, and make no use of any such recording.

This decision is final and binding on the parties, except as otherwise provided under the Act, and 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: November 04, 2019

Residential Tenancy Branch