



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET FFL

Introduction

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; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Both parties attended the hearing, and were represented (the landlord by counsel, and the tenant by an advocate). All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

Analysis

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenant will vacate the rental unit by November 30, 2019.
2. The landlord will pay \$900 into his lawyer's trust account by November 27, 2019.
3. The landlord's lawyer undertakes to immediately pay \$900 (the "**Settlement Funds**") to the tenant upon confirmation that the tenant has vacated the rental unit.

4. If the landlord's lawyer receives confirmation that the tenant has vacated the rental unit on November 30, 2019 or December 1, 2019, he may send (by same-day courier) the tenant the Settlement Funds on December 2, 2019, to the tenant's advocate's office (address on the cover of this decision).

These particulars comprise the full and final settlement of all aspects of this dispute for the parties. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final and binding, which settle all aspects of this dispute between these two parties.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the tenant and the landlord and as discussed with them during the hearing, I issue the attached order of possession ordering the tenant to vacate the rental unit by November 30, 2019.

Should the party 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: November 22, 2019

Residential Tenancy Branch