



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION AND RECORD OF SETTLEMENT

Dispute Codes

CNR CNC RP

Introduction

This hearing was convened in response to an application by the tenant pursuant to the *Residential Tenancy Act* (the “Act”) primarily to cancel Notices to End Tenancy. Both parties attended the hearing and provided testimony. The landlord confirmed receiving the Notice of Dispute Resolution Proceeding and the tenant’s application.

During the course of the hearing the tenant informed the proceeding that they had vacated the rental unit December 31, 2019 and provided a forwarding address to the landlord in testimony. The landlord confirmed that on January 07, 2020 they attended the rental unit, however could not gain access. The landlord stated they cannot confirm if the tenant has vacated. The parties were informed that if the tenant has vacated the rental unit their application in this matter is mute and effectively dismissed. None the less, parties briefly discussed their dispute and confirmed to me the following agreement in satisfaction of both parties.

Section 63 of the *Residential Tenancy Act* provides that the parties may attempt to settle their dispute during a hearing and an Arbitrator may record their settlement as a Decision and Order. Pursuant to this provision, the parties confirmed to me they both sought a settlement as follows;

1. The tenancy has ended.
2. The landlord will receive an **Order of Possession** effective forthwith.

Both parties testified in the hearing confirming to me that they understood and agreed to the above condition as final settlement of the application of this matter vis a vis the status of the tenancy.

The landlord is given an **Order of Possession**, effective **January 20, 2020**. If the tenant fails to comply with the Order, the Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

Conclusion

The parties settled their dispute in the above terms.

This Decision and Settlement agreement are final and binding.

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: January 20, 2020

Residential Tenancy Branch