



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 an application by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- An order for early termination of a tenancy pursuant to section 56;
- Authorization to recover the filing fee for this application pursuant to section 72.

The landlord attended with the translator JM (“the landlord”). The tenant attended with counsel WJ (“the tenant”). The hearing process was explained, and an opportunity was given to ask questions about the hearing process. No issues of service were raised. I find the landlord served the tenant in accordance with the *Act*.

The hearing lasted 108 minutes.

Both parties had an opportunity to be heard, to present their affirmed testimony and to make submissions.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

The parties agreed as follows:

1. The tenant undertakes not to conduct unlawful activities in the unit;
2. The tenant acknowledges responsibility for damage to the unit and undertakes to complete all necessary repairs to the unit to return the unit to the condition of the unit at the beginning of the tenancy, all such repairs to be completed on or before 5:00 PM on May 18, 2020;
3. The parties agree that the landlord and a property manager or representative of the Neighborhood Committee shall attend with the tenant at the unit at 12:00 noon on Friday April 23, 2020 and continuing at the same time each Friday thereafter until and including May 29, 2020, to conduct an inspection of the unit;
4. The tenant agrees to compensate the landlord for the filing fee of this application in the amount of \$100.00 to be added to the rent due May 1, 2020;
5. The parties agree that any failure by the tenant to comply with these conditions shall result in the landlord immediately serving the tenant with an Order of Possession effective on 2 days' notice;
6. The parties agree that if the Neighborhood Committee makes a valid complaint to the landlord regarding the tenant's conduct of the tenancy and the terms of this Order, that the landlord shall immediately serve the tenant with an Order of Possession effective on 2 days' notice.

In support of this settlement and with the agreement of both parties, I grant the landlord the following:

- Order of Possession pursuant to section 55(2)(d) of the Act

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this application.

The settlement was fully discussed in a 108-minute hearing.

The parties are still bound by all the rights, responsibilities, terms, conditions and any statutory compensation provisions of the tenancy agreement, the *Act*, and the associated regulations.

Conclusion

I issue to the landlord an Order of Possession to be served on the tenant **ONLY** if the tenant fails to abide by the terms set out in this Decision.

Should the landlord be required to serve this Order on the tenant and should the tenant or anyone occupying the premises 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: April 20, 2020

Residential Tenancy Branch