



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPL

Introduction

Pursuant to section 58 of the *Residential Tenancy Act* (the *Act*), I was designated to hear an application regarding the above-noted tenancy. The landlords applied for an Order of Possession for Landlord's use, pursuant to sections 49 and 55(2)(b) of the *Act*.

Landlords AT and GT attended, as well as witness RB and agent RW. The tenant also attended. Both parties were given an opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

As both parties were present service was confirmed. The respondent confirmed receipt of the notice of hearing and evidence. Based on the testimonies I find that service of the notice of hearing and evidence was in accordance with sections 88 and 89 of the *Act*.

Settlement

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 regarding this application only.

Both parties agreed to the following final and binding settlement of issues listed in this application for dispute resolution:

1. The tenant agrees to provide the landlords with vacant possession of the subject rental property by 1:00 P.M. on June 30, 2020.

2. The tenant will pay the landlords \$848.00 per month for usage and occupancy on the first day of the month until he moves out.
3. The tenant did not pay December's 2019 rent as a compensation for the end of the tenancy for the landlords use. There will be no further compensation for the end of the tenancy.

Conclusion

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

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue an Order of Possession to the landlord, which is to take effect by 1:00 P.M. on June 30, 2020. If after the landlords serve this Order to the tenant and the tenant fails 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 07, 2020

Residential Tenancy Branch