



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

In this dispute, the landlord sought an order ending the tenancy early, pursuant to section 56 of the *Residential Tenancy Act* (the “Act”), and, they sought recovery of the filing fee under section 72 of the Act.

The landlord applied for dispute resolution on April 8, 2020 and a dispute resolution hearing was held, by way of telephone conference, on May 1, 2020. The landlord’s agent and the tenant attended the hearing, were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

Settlement Agreement

At the start of the hearing the tenant stated that he was willing to move out “right away.” The parties discussed a date and time of the final walk-through inspection, and I provided a few options in terms of closing the landlord’s application. The parties agreed to a decision in the form of a settlement, which I am permitted to endorse under section 63 of the Act.

The parties agreed to settle this matter as follows:

1. that the tenancy will end on Wednesday, May 6, 2020 at 12:00 PM; and,
2. that the landlord is entitled to an order of possession, which will become effective on Wednesday, May 6, 2020 at 12:01 PM.

As the outcome was achieved through settlement, I decline to award recovery of the filing fee to the landlord.

Conclusion

I order the parties to comply with the terms of the settlement agreement as set out above, and I thank the parties for resolving this dispute in an efficient manner.

I grant the landlord an order of possession, which must be served on the tenant (if necessary) and which is effective as of 12:01 PM on May 6, 2020. This order may be filed in, and enforced as an order of, the Supreme Court of British Columbia. It should be noted that orders of possession issued under section 56 of the Act remain enforceable during the current provincial state of emergency, as per Ministerial Order No. M089, [*Residential Tenancy \(COVID-19\) Order*](#), MO 73/2020.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: May 1, 2020

Residential Tenancy Branch