



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC

Introduction

On May 8, 2020 the landlord submitted an Application for Dispute Resolution proceeding, seeking an order of possession for the rental unit. The matter proceeded by way of a hearing pursuant to section 74(2) of the *Residential Tenancy Act* on June 11, 2020.

The tenants, with their agent, and the landlord attended the hearing. This was an opportunity for each to present oral testimony and make submissions.

Issue(s) to be Decided

Is the landlord entitled to an Order of Possession pursuant to sections 47 and 55 of the *Act*?

Background and Evidence

The tenancy between the parties began on December 1, 2013 with a documented tenancy agreement. The copy of the agreement in the record shows a monthly rent of \$840.00 per month.

The landlord issued a One Month Notice to End Tenancy for Cause on January 27, 2020 and posted this on the rental unit door. The landlord provided copies of letters to the tenants that show the reasons for the end of tenancy notice.

The agent for the tenants presented that subsequent discussions between the parties showed the tenants' willingness to abide by the notice, with the landlord understanding that the date of the end of tenancy may have to change. This is due to employment and accommodation availability concerns for the tenants. The agent presented that the tenants were offering their own end of tenancy arrangement to the landlord with a different later date than that provided on the document itself.

Settlement Agreement

The parties reached a full and final agreement in the hearing that the tenancy will end at the end of August 2020. They confirmed this agreement is made on a voluntary basis and with the understanding of the nature of this full and final settlement on this matter.

The tenants made this offer to extend the end of tenancy on their own, in consideration of both parties needs and obligations in this matter. The tenants shall pay the full amount of rent for the remaining months in the tenancy: July and August 2020.

I accept and record the settlement agreement reached by the parties during this hearing and I make the terms of the Order binding upon both parties.

This settlement agreement was reached in accordance with section 63 of the *Act*. The parties are bound by the terms of this agreement, as well as the tenancy agreement and the *Act*. Should either party violate the terms of this settled agreement, the tenancy agreement or the *Act*, it is open to the other party to take steps under the *Act* to seek remedy.

I grant the landlord an Order of Possession in this matter. This Order must be served on the landlord by the tenant.

Conclusion

The parties reached a full and final settlement agreement in resolution of their disputes. I have recorded the terms of settlement in this decision and in recognition of the settlement agreement I provide the landlord with an Order of Possession to serve and enforce upon the tenant, if necessary.

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: June 16, 2020

Residential Tenancy Branch