



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      ET

### Introduction

This hearing was convened by way of conference call in response to a Landlord's Application for Dispute Resolution to end the tenancy early and obtain an Order of Possession.

All parties appeared for the hearing and provided testimony. Both parties confirmed receipt of each other's evidence and did not take issue with the service of these documents. The Tenant confirmed he was aware of the issues to be discussed at the hearing and was ready to proceed.

### Settlement Agreement

During the hearing, a mutual agreement was discussed and the Landlord agreed to withdraw her application to end the tenancy early in pursuit of the following settlement agreement.

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.

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 Tenant will move out of the rental unit by **August 31, 2020, at 1pm.**
- The Tenant may move out before this time, and the Landlord agrees that the Tenant is not required to give a full month's notice prior to moving out. The

Tenant must pay a per diem rate, if he moves out part way through the month, otherwise rent is due and payable, as it would otherwise be under the tenancy agreement.

- These terms comprise the full and final settlement of all aspects of this dispute for both parties.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the nature of this full and final settlement of this matter.

To give effect to the settlement reached by the parties, I also grant the Landlord an Order of Possession effective August 31, 2020, at 1pm to reflect the end of tenancy.

### Conclusion

In support of the agreement described above, the landlord is granted an order of possession effective August 31, 2020, at 1pm and after service on the tenant. The Landlord may serve and enforce this Order if the Tenant fails to move out as specified above.

This Order **must** be read in conjunction with the above settlement agreement and the Landlord **must not** seek to enforce this Order on the Tenant, unless the Tenant fails to meet the conditions of this agreement.

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 30, 2020

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Residential Tenancy Branch