



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Entre Nous Femmes Housing
Society and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes ET, FFL

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the *Act*) for:

1. an early termination of tenancy and Order of Possession, pursuant to section 56; and
2. authorization to recover the filing fee from the tenant, pursuant to section 72.

The landlord's agent, the landlord's mediator, the tenant and the tenant's advocate attended and were each given a full opportunity to be heard, to present their affirmed testimony, to make submissions and to call witnesses.

Both parties agreed that the landlord served the tenant with the landlord's application for dispute resolution via registered mail. The landlord entered into evidence a copy of the Canada Post receipt dated August 7, 2020, evidencing the above mailing. I find that the tenant was served in accordance with section 89 of the *Act*.

Issues to be Decided

1. Is the landlord entitled to an early termination of tenancy and Order of Possession, pursuant to section 56 of the *Act*?
2. Is the landlord entitled to recover the filing fee from the tenant, pursuant to section 72 of the *Act*?

Analysis

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.

Both parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenant agrees to vacate the subject rental property by 1:00 p.m. on November 30, 2020.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties gave verbal affirmation at the hearing that they understood and agreed to the above term as legal, final and binding, which settle all aspects of this dispute. Both parties gave verbal affirmation at the hearing that they agreed to the above term free of any duress and coercion.

Conclusion

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue the attached Order of Possession to the landlord effective at 1:00 p.m. on November 30, 2020.

Should the tenant fail to comply with this Order, this Order may be filed and enforced as an Order of the Small Claims 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: August 25, 2020

Residential Tenancy Branch