



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      ET, FFL

### Introduction

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

- an early end to tenancy and an order of possession, pursuant to section 56; and
- authorization to recover the filing fee for this application, pursuant to section 67.

The landlord, the "owner" of the rental unit, and the tenant's advocate attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The owner confirmed that the landlord had permission to represent him as an agent (collectively "landlord"). The tenant's advocate confirmed that she had permission to represent the tenant. This hearing lasted approximately 19 minutes.

This hearing began at 9:30 a.m. with me and the tenant's advocate present. The landlord and owner called in at 9:32 a.m. I informed the landlord and owner about what occurred in their absence. The hearing ended at 9:49 a.m.

The tenant's advocate confirmed receipt of the landlord's application for dispute resolution hearing package and the owner confirmed receipt of the tenant's evidence. In accordance with sections 88, 89 and 90 of the *Act*, I find that the tenant was duly served with the landlord's application and the landlord was duly served with the tenant's evidence.

### Settlement Terms

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 and orders. During the hearing, the parties discussed the issues between them, 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 at this time:

1. The tenant agreed to pay the landlord \$600.00 by August 15, 2020;
2. Both parties agreed that this tenancy will end by 1:00 p.m. on September 1, 2020, by which time the tenant and any other occupants will have vacated the rental unit, in the event that the tenant abides by condition 1 above;
3. Both parties agreed that this tenancy will end by 1:00 p.m. on August 16, 2020, pursuant to a one (1) day Order of Possession, if the tenant does not abide by condition 1 above;
4. The landlord agreed to bear the cost of the \$100.00 filing fee paid for this application;
5. The landlord agreed that this settlement agreement constitutes a final and binding resolution of this application.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties affirmed at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties affirmed that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

### Conclusion

To give effect to the settlement reached between the parties and as discussed with them during the hearing, I issue the attached one (1) day Order of Possession to be used by the landlord **only** if the tenant does not abide by condition 1 of the above settlement. The tenant must be served with a copy of this Order. Should the tenant fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

In the event that the tenant abides by condition 1 of the above settlement, this tenancy continues only until 1:00 p.m. on September 1, 2020.

In order to implement the above settlement reached between the parties, I issue a monetary Order in the landlord's favour in the amount of \$600.00. I deliver this Order to the landlord in support of the above agreement for use **only** in the event that the tenant fails to pay the landlord \$600.00 as per condition 1 of the above agreement. The tenant must be served with a copy of this Order. Should the tenant fail to comply with this Order, this Order may be filed in the Small Claims Division of the Provincial Court and enforced as an Order of that Court.

The landlord must bear the cost of the \$100.00 filing fee paid for this application.

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 06, 2020

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Residential Tenancy Branch