



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *OPC*

Introduction

This hearing dealt with an application by the landlord, pursuant to s.55 of the *Residential Tenancy Act*. The landlord applied for an order of possession pursuant to a notice to end tenancy for cause.

Both parties attended this hearing and were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses. The parties represented themselves. As both parties were in attendance, I confirmed service of documents. The parties confirmed receipt of each other's evidence. I find that the parties were served with evidentiary materials in accordance with sections 88 and 89 of the *Act*.

These parties attended hearings on June 05, 2020 and July 07, 2020, to address this application of the landlord. The landlord did not attend the first hearing and her application was dismissed. The landlord applied for a review hearing which was granted, and the review hearing was conducted on July 07, 2020. The tenant did not attend the review hearing. The landlord was granted an order of possession and the tenant applied for a review consideration of the decision. The tenant was granted a review hearing and this review hearing is scheduled for today – August 25, 2020.

Issues to be decided

Does the landlord have reason to end the tenancy?

Background and Evidence

The tenancy started in August 2013. The monthly rent is \$1,250.00 due in advance on the first day of the month. On January 26, 2020, the landlord served the tenant with a notice to end tenancy for cause. The tenant did not dispute the notice.

During the hearing the parties engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Analysis

Pursuant to Section 63 of the *Residential Tenancy Act*, the Arbitrator may assist the parties settle their dispute and if they settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order.

During this hearing, the parties reached an agreement to settle their dispute on the following terms:

- The tenant agreed to move out by 1:00 pm on September 30, 2020.
- The landlord agreed to allow the tenancy to continue until 1:00 pm on September 30, 2020. An order of possession will be issued to the landlord effective this date.
- Both parties stated that they understood and agreed that these particulars comprise the full and final settlement of this dispute for both parties.

Pursuant to the above agreement I grant the landlord an order of possession effective 1:00 pm on September 30, 2020. The Order may be filed in the Supreme Court for enforcement.

The parties have reached a settled agreement, as recorded above. This agreement was reached in accordance with section 63 of the *Act*. The parties are bound by the terms of this agreement, as well as by the terms of their 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.

Conclusion

I grant the landlord an order of possession effective by **1:00 pm on September 30, 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 *Residential Tenancy Act*.

Dated: August 25, 2020

Residential Tenancy Branch