



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 an expedited application for a hearing by the landlord under the *Residential Tenancy Act* (the *Act*) for the following:

- - An order for emergency termination of a tenancy pursuant to section 56;
 - Authorization to recover the filing fee for this application pursuant to section 72.

The parties attended and were given a full opportunity to be heard, to present affirmed testimony, make submissions, and call witnesses. I explained the hearing process and provided the parties with an opportunity to ask questions. The parties did not raise any issues regarding the service of evidence.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so 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 parties agreed as follows:

1. The tenant has vacated the unit and the landlord is granted an Order of Possession effective immediately;
2. The Order of Possession must be served on the tenant;

3. The landlord's application for reimbursement of the filing fee is dismissed with leave to reapply.

In support of this settlement and with the agreement of both parties, I grant the landlord an Order of Possession pursuant to section 55(2)(d) of the *Act*.

Should the tenant fail to comply with the Order of Possession, the Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

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 by the terms of their tenancy agreement and the *Act*. Should either party violate the terms of this agreement, the tenancy agreement or the *Act*, it is open to the other party to take steps under the *Act* for an appropriate remedy.

Conclusion

Pursuant to the terms of the settlement agreement between the parties, I grant the landlord an Order of Possession effective immediately pursuant to section 55(2)(d) of the *Act*.

Should the tenant fail to comply with the Order of Possession, the Order may be filed and enforced as an Order of the Supreme 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: September 14, 2020

Residential Tenancy Branch