



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPM

Introduction

This hearing dealt with an Application for Dispute Resolution (the Application) that was filed by the Landlord under the Residential Tenancy Act (the Act), seeking an Order of Possession for the rental unit based on a mutual agreement to end tenancy.

The hearing was convened by telephone conference call and was attended by the Landlord, the Tenant, and an occupant of the rental unit (A.W.). All parties provided affirmed testimony.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on several occasions during the hearing that there is no obligation to resolve the dispute through settlement, but that pursuant to section 63 of the Act, I could assist the parties to reach an agreement, which would be documented in my Decision and supporting order.

During the hearing, the parties mutually agreed to settle this matter as follows:

1. The parties agree the tenancy will end on October 30, 2020, at 12:00 P.M. (noon).
2. The Tenant agrees to vacate the rental property by 12:00 P.M. (noon) on October 30, 2020.
3. The Landlord agrees that outstanding rent owed for the period up to and including October 30, 2020, is forgiven and therefore not owed by the Tenant.
4. The Landlord agrees to provide the Tenant with a good reference.
5. The parties agree that the Landlord or their agent(s) are to be permitted access to the rental unit for the purpose of assessing any damage and for making

arrangements for any necessary repairs, provided proper notice for entry is given by the Landlord or their agent(s) in accordance with section 29 of the Act.

6. The Landlord agrees not to seek compensation from the Tenant for minor/nominal damage to the rental unit or wear and tear.
7. The parties agree that any deposits paid or any claims for compensation or damage are to be dealt with in accordance with the Act.
8. The rights and obligations of the parties under the Act continue until the tenancy ends in accordance with this agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

In support of the settlement described above, and with the agreement of the parties, I grant the Landlord an order of possession, effective 12:00 P.M. (noon) on October 30, 2020. The Landlord is provided with this order in the above terms, which must be served on the Tenant as soon as possible. Should the Tenant fail to comply with this Order, this order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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: October 5, 2020

Residential Tenancy Branch