



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 Application for Dispute Resolution (the Application) that was filed by the Landlord under the Residential Tenancy Act (the Act), seeking:

- An early end to the tenancy pursuant to section 56 of the Act: and
- Recovery of the filing fee.

The hearing was convened by telephone conference call and was attended by the Landlord, an agent for the Landlord (the Agent), an advocate for the Landlord (the Advocate), a witness for the Landlord (the Witness), and the Tenants. 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 orders.

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

1. The parties agree the tenancy will end at 1:00 P.M. on November 30, 2020.
2. The Tenants agree to vacate the rental property by 1:00 P.M. on November 30, 2020.
3. The parties agree that the Landlord may retain the \$1,000.00 security deposit for damage to the windows of the property.
4. The Tenants agree to pay the Landlord \$100.00 for recovery of the filing fee.

5. 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 1:00 P.M. on November 30, 2020. This Order must be served on the Tenants as soon as possible. Should the Tenants 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. The Tenants are cautioned that costs of such enforcement are recoverable from them by the Landlord.

In support of the settlement described above, and with the agreement of the parties, I grant the Landlord a Monetary Order in the amount of \$100.00. The Landlord is provided with this Order in the above terms and the Tenants must be served with this Order as soon as possible. Should the Tenants 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 Tenants are cautioned that costs of such enforcement are recoverable from them by the Landlord.

The Landlord is also authorized to retain the \$1,000.00 security deposit, in full, as part of this agreement.

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: November 10, 2020

Residential Tenancy Branch