



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPC, OPR, FFL

Introduction

This hearing dealt with an Application for Dispute Resolution (the Application) filed by the Landlord under the Residential Tenancy Act (the Act), seeking:

- An Order of Possession based on an uncontested One Month Notice to End Tenancy for Cause (the One Month Notice);
- An Order of Possession based on an uncontested 10 Day Notice to End Tenancy for Unpaid Rent or Utilities (the 10 Day Notice); and
- Recovery of the \$100.00 filing fee.

The hearing was convened by telephone conference call and was attended by the Landlord and the Tenant. All parties provided affirmed testimony. The Tenant acknowledged receipt of the Notice of Dispute Resolution Proceeding from the Landlord, including a copy of the Application and the Notice of Hearing, and raised no concerns regarding service or timelines. As a result, the hearing proceeded as scheduled.

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(s).

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

1. The parties agree that the tenancy will end on February 1, 2021, at 1:00 P.M. (Pacific Time) and the Tenant agrees to vacate the rental unit by that date and time.
2. The parties agree that the Landlord can retain \$100.00 from the Tenant's \$700.00 security deposit for recovery of the \$100.00 filing fee.
3. The rights and obligations of the parties under the Act, the Regulations, and the tenancy agreement continue until the tenancy ends in accordance with this agreement.
4. The parties agree that this settlement agreement constitutes full and final settlement of the matters claimed by the Landlord in the Application.

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

Conclusion

I order the parties to comply with the terms of the settlement agreement described above.

In support of the settlement agreement described above, and with the agreement of the parties, I grant the Landlord an Order of Possession, effective February 1, 2021, at 1:00 P.M., pursuant to section 63 of the Act. This order must be served on the Tenant in accordance with the Act before it is enforceable in the Supreme Court of British Columbia. Should the Tenant fail to comply with this Order of Possession and the settlement agreement, this Order of Possession 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 Act.

Dated: January 21, 2021

Residential Tenancy Branch