



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

Pursuant to section 58 of the Residential Tenancy Act (the Act), I was designated to hear an application regarding the above-noted tenancy. The landlord applied for:

- an order for early termination of a tenancy, pursuant to section 56;
- an authorization to recover the filing fee for this application, under section 72.

The landlord's agent MM, tenant SJ and witness for the tenant HJ attended the hearing. All were given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses.

At the outset of the hearing the attending parties affirmed they understand it is prohibited to record this hearing.

Settlement

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

1. The tenants agree to give vacant possession of the rental unit to the landlord by June 30, 2021 at 1:00 P.M.
2. On June 14, 2021 the tenants will pay \$1,706.67 for rent and utilities from June 14 to 30, 2021.
3. On June 14, 2021 the landlord will return the tenants' cheques previously received for future rent.
4. The tenants uninstalled the dryer today and will have it removed from the rental unit by June 02, 2021.

5. The tenants will continue to use their own fridge until the end of the tenancy and will not make a monetary claim regarding the landlord's fridge.
6. The landlord will not make a monetary claim regarding damages to the fridge, except if there is evidence the tenants purposely damaged the fridge.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect by 1:00 P.M. on June 30, 2021. The landlord is provided with this order in the above terms and must serve it on the tenants in accordance with the Act. If the tenants fail to comply with this Order, this 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: May 31, 2021

Residential Tenancy Branch