



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding BOFFO DEVELOPMENTS (NR)
LTD. and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes: OPN FFL

Introduction

The landlord sought an order of possession pursuant to sections 45 and 55(2)(a) of the *Residential Tenancy Act* ("Act"). And, they sought recovery of the cost of the filing fee under section 72 of the Act.

A hearing was first held on June 14, 2021, which was then adjourned to June 28, 2021. The reasons for adjourning are outlined within my Interim Decision of June 14, 2021.

Landlord's counsel, the tenants' legal advocate, and the tenants, attended the hearing on June 28, 2021.

Preliminary Issue: Settlement of Dispute

Landlord's counsel advised that the parties had reached a resolution of this dispute, and that the landlord be issued an order of possession effective July 2, 2021. The tenant's legal advocate confirmed that this was the resolution.

The tenant (D.E.) briefly asked that, due to his back problems and the added stressors caused by the current heat wave, these aforementioned factors be taken into account. I acknowledged his submission and leave it to the landlord's representatives and the tenants to work together to ensure that the order of possession is complied with.

An order of possession is thus issued in accordance with this settlement, to the landlord.

Given that the parties reached a resolution of this matter by way of a settlement, I decline to grant an award for the cost of the filing fee, under section 72 of the Act.

Conclusion

Pursuant to sections 63(1) and (2) of the Act, then, this dispute has been settled.

The landlord is granted an order of possession, which must be served on the tenants, and which shall go into effect on June 2, 2021. If necessary, this order may be filed in, and enforced as an order of, the Supreme Court of British Columbia.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: June 28, 2021

Residential Tenancy Branch