



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

ET

Introduction

This hearing was convened in response to the Landlord's Application for Dispute Resolution, in which the Landlord applied for an Order of Possession and for an early end to the tenancy.

The Agent for the Landlord stated that on June 15, 2021 the Dispute Resolution Package and evidence the Landlord submitted to the Residential Tenancy Branch were posted at the rental unit. In the absence of evidence to the contrary, I find that these documents have been served in accordance with section 89 of the *Residential Tenancy Act (Act)*, however the Tenant did not appear at the hearing at the scheduled start time.

As the Tenant did not attend the hearing at the scheduled start time, the hearing proceeded in the absence of the Tenant.

The Tenant attended the hearing approximately 22 minutes after the scheduled start time of the hearing. The first portion of the hearing was summarized for the Tenant.

The Tenant acknowledged receiving the Dispute Resolution Package and the Landlord's evidence and the evidence was accepted as evidence for these proceedings.

Each participant affirmed that they would speak the truth, the whole truth, and nothing but the truth during these proceedings.

The participants were advised that the Residential Tenancy Branch Rules of Procedure prohibit private recording of these proceedings. Each participant affirmed they would not record any portion of these proceedings.

Issue(s) to be Decided

Should this tenancy end early and, if so, should the Landlord be granted an Order of Possession?

Background and Evidence

The Agent for the Landlord and the Tenant agree that the tenancy began on August 01, 2020 and that the Tenant is still living in the rental unit.

Prior to discussing any of the merits of the application to end the tenancy early with the Tenant, the Agent for the Landlord and the Tenant agreed to settle all issues in dispute at these proceedings under the following term:

- The tenancy will end, by mutual agreement, on September 30, 2021.

The aforementioned settlement agreement was summarized for the parties on at least two occasions. The Agent for the Landlord and the Tenant clearly indicated their intent to resolve the issues in dispute at these proceedings in accordance with the aforementioned term.

The Agent for the Landlord and the Tenant each acknowledged that they understood they were not required to enter into this agreement and that they were doing so voluntarily.

The Landlord and the Tenant each acknowledged that they understood the agreement was final and legally binding.

Analysis

All issues in dispute have been settled in accordance with the aforementioned settlement agreement.

Conclusion

On the basis of the aforementioned settlement agreement, I grant the Landlord an Order of Possession that is effective at 1:00 p.m. on September 30, 2021. This Order

may be served on the Tenant, filed with the Supreme Court of British Columbia, and enforced as an Order of that Court.

This settlement agreement is recorded and the Order of Possession is granted on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: June 28, 2021

Residential Tenancy Branch