



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

This hearing was convened in response to an application by the Landlord pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An early end to the tenancy and an order of possession - Section 56; and
2. An Order to recover the filing fee for this application - Section 72.

The Parties were each given full opportunity to be heard, to present evidence and to make submissions. The Tenant states that it is in the process of moving out of the unit and that they agree to end the tenancy on September 15, 2021. The Landlord agrees with this end of tenancy date.

Preliminary Matters

The following are undisputed facts: Landlord NS is not a landlord named on the tenancy agreement. Only Tenant SP is named as a tenant on the tenancy agreement. Given these undisputed facts I name only the Parties to the tenancy agreement on the order of possession granted below.

The Landlord confirms that an error was made on their application and that they reside in the main part of a house and not the basement unit. The Tenant resides in the basement unit.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end at 1:00 p.m. on September 15, 2021; and**
- 2. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement I grant the Landlord an order of possession.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective at 1:00 p.m. on September 15, 2021. The Tenant must be served with this **Order of Possession**. Should the Tenant fail to comply with the order, the order may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

Dated: September 13, 2021

Residential Tenancy Branch