



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FFL

Introduction

This hearing dealt with an Application for Dispute Resolution by the landlords to end the tenancy early and obtain an order of possession, pursuant to section 56 of the Act and to recover the cost of the filing fee.

Both parties appeared, gave affirmed testimony, and were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions at the hearing. All parties confirmed under affirmation that they were not recording the hearing.

During the hearing the parties agreed to settle these matters, on the following conditions:

- 1) The parties agreed that subject to January 2022 rent being paid that the tenancy will end on January 31, 2022;
- 2) Should the tenants failed to pay rent for January 2022, the landlord is entitled to a 2-day order of possession.
- 3) The landlord agreed that if the tenants find alternate housing they waiver their rights to 30 days notice and will return the difference of prorated rent to the tenants.

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

Conclusion

As a result of the above settlement, the landlords are granted an order of possession effective 2 days after service on the tenants. This is only enforceable if the tenants fail to pay rent for January 2022.

If rent is paid for January 2022, the landlords are granted an order of possession effective January 31, 2022.

As the matter was resolved by settlement agreement I decline to award the cost of the filing fee.

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: December 21, 2021

Residential Tenancy Branch