



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL-4M, FFL

Introduction

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

1. An Order cancelling a notice to end tenancy - Section 49; and
2. An Order to recover the filing fee for this application - Section 72.

Both Parties attended the conference call hearing. At the onset, the Parties confirmed that they reached an agreement to resolve the dispute and asked that this agreement be confirmed and recorded as a decision. The Parties conducted a final review for accuracy of the terms of the mutual agreement reached by Parties. The Parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that they understood the nature of the full and final settlement of these matters.

Agreed Facts

The tenancy under written agreement started June 1, 2006. At the outset of the tenancy the Landlord collected \$387.50 as a security deposit. Rent of \$1,139.00 is payable on the first day of each month.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end no later at 1:00 p.m. on August 15, 2022;**

2. The Tenant will provide the Landlord with a month's notice to vacate the unit;
3. The Landlord will pay the Tenant \$1,139.00 at the end of the tenancy and upon return of the keys;
4. The Landlord will not issue any further eviction notices to the end of the tenancy;
5. The Tenant will continue paying rent until the tenancy ends; and
6. The Landlord will provide the tenant with a reference letter for future rental property; and
7. 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 confirmed during the Hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this mutual agreement I grant the Landlord an order of possession effective 1:00 p.m. on August 15, 2022 and I grant the Tenant a monetary order for \$1,139.00.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective at 1:00 p.m. on August 15, 2022. 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.

I grant the Tenant an order under Section 67 of the Act for **\$1,139.00**. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: March 29, 2022

Residential Tenancy Branch