



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 the Landlord's Application for Dispute Resolution, in which the Landlord applied for an Order of Possession, for an early end to the tenancy, and to recover the fee for filing this Application for Dispute Resolution.

The Landlord stated that on March 30, 2022 the Dispute Resolution Package and evidence submitted to the Residential Tenancy Branch in March of 2022 were posted on the door of the rental unit. The Tenant stated that the Tenants received these documents and that she is representing the male Tenant at these proceedings. As the Tenant acknowledged receipt of these documents, the evidence was accepted as evidence for these proceedings.

On April 19, 2022 the Landlord submitted additional evidence to the Residential Tenancy Branch. The Landlord stated that this evidence was placed in the Tenants' mailbox on April 19, 2022. The Tenant initially stated that she only received one page of evidence in her mailbox. As we reviewed the evidence served by the Landlord the Tenant acknowledged that she likely received all of those documents, although they are no longer in her possession. On the basis of the testimony of the parties, I find it likely that the Tenants received this evidence and it 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

Prior to discussing any of the terms of the tenancy or the issues in dispute, the Landlord and the Tenant agreed to settle all issues in dispute at these proceedings under the following terms:

- The tenancy will end, by mutual agreement, on June 01, 2022; and
- The Tenants will vacate the rental unit by June 01, 2022.

The aforementioned settlement agreement was summarized for the parties on at least two occasions. The Landlord and the Tenant clearly indicated their intent to resolve this dispute under these terms.

The Landlord and the Tenant each acknowledged that they understand 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 binding.

Conclusion

All issues in dispute at these proceedings have been settled in accordance with the aforementioned terms.

On the basis of the settlement agreement, I grant the Landlord an I Order of Possession which is effective at 1:00 p.m. on June 01, 2022. 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 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: May 05, 2022

Residential Tenancy Branch