



# 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 as a result of the landlords' Application for Dispute Resolution (application) seeking remedy under the *Residential Tenancy Act* (Act). The landlord applied to end the tenancy early for health and safety reasons, and to recover the cost of the filing fee.

The landlords MI and CI (landlords), the tenant, and counsel for the tenant, MT (counsel) attended the teleconference hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing and make submissions to me.

Neither party raised issues regarding the service of documentary and digital evidence. Both parties confirmed that they had the opportunity to review the evidence served upon them. Words utilizing the singular shall also include the plural and vice versa where the context requires.

### Preliminary and Procedural Matter

The parties confirmed their respective email addresses and were advised that the decision will be emailed to both parties and counsel. The order of possession will be emailed to the landlords only for service on the tenant.

### Issues to be Decided

- Are the landlords entitled to an order of possession under the Act?
- Are the landlords entitled to the recovery of the cost of the filing fee under the Act?

### Settlement Agreement

During the hearing, the parties agreed to settle this matter on the following conditions:

1. The parties agree that the tenancy will end on **June 30, 2022 at 1:00 p.m.**
2. The parties agree that the landlord is granted an order of possession effective **June 30, 2022 at 1:00 p.m.** which must be served on the tenant.
3. The parties agree that the tenant may be served with the order of possession via email. The tenant's email address has been included on the cover page of this decision.
4. The parties agree that the landlords' application is withdrawn in full as part of this mutually settled agreement.

This settlement agreement was reached in accordance with section 63 of the Act. The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the parties understood the binding nature of this full and final settlement of these matters.

As this matter was resolved by way of a mutual agreement, I decline to award the filing fee.

### Conclusion

I ORDER the parties to comply with the terms of their settled agreement, pursuant to sections 62(3) and 63 of the Act.

The landlords have been granted an order of possession effective June 30, 2022 at 1:00 p.m. Should the landlords require enforcement of this order, it must be first served on the tenant by the landlords and may be filed in the Supreme Court and enforced as an order of that court.

The parties confirmed their understanding that while they voluntarily formed this mutual agreement that the agreement is final and binding under the Act.

This decision will be emailed to both parties. The order of possession will be emailed to the landlords for service on the tenant.

I decline to award the filing fee as this matter was resolved by settlement agreement.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: June 2, 2022

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Residential Tenancy Branch