



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **ET FFL**

### Introduction

This hearing was convened as a result of the Landlord's application for dispute resolution ("Application") under the Residential Tenancy Act (the "Act") for:

- an early termination of the tenancy and an Order of Possession pursuant to section 56; and
- authorization to recover the filing fee for the Application from the Tenant pursuant to section 72.

The Landlord and Tenant attended the hearing. I explained the hearing process to the parties who did not have questions when asked. I told the parties they were not allowed to record the hearing pursuant to the *Residential Tenancy Branch Rules of Procedure* ("RoP"). The parties were given a full opportunity to be heard, to present affirmed testimony, to make submissions and to call witnesses.

The Landlord stated the Notice of Dispute Resolution Proceeding ("NDRP") was served on the Tenant's door on August 9, 2022. The Tenant acknowledged receipt of the NDRP. I find the NDRP was served on the Tenant in accordance with the provisions of section 89 of the Act.

The Landlord stated he served his evidence on the Tenant's door on late August 9, 2022. The Tenant stated he received the Landlord's evidence on August 10, 2022. I find the Landlord's evidence was served on the Tenant in accordance with the provisions of section 88 of the Act.

The Tenant stated he did not serve any evidence on the Landlord for this proceeding.

### Settlement Agreement

Pursuant to section 63 of the Act, an arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

The parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The Tenant agrees to vacate the rental unit by 1:00 pm on August 29, 2022; and
2. The Landlord agrees to withdraw the Application.

These particulars comprise the full and final settlement of all aspects of the Landlord's dispute against the Tenant. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final, and binding, which settle all aspects of claims made in the Application.

### Conclusion

As the parties have reached a full and final settlement of all the claims set out in the Application, I make no factual findings about the merits of the Application.

To give effect to the settlement reached between the parties, and as discussed at the hearing, I grant the Landlord an Order of Possession effective at 1:00 pm on August 29, 2022. Should the Tenant fail to comply with this Order, this Order may be filed in the Supreme Court of British Columbia and enforced as an Order of that Court.

The Landlord is provided with the Order of Possession in the above terms and the Tenant must be served with the Order as soon as possible.

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: August 23, 2022

---

Residential Tenancy Branch