



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **SETTLEMENT DECISION**

Dispute Codes      **ET**

### Introduction

This hearing dealt with an application by the landlord pursuant to the Residential Tenancy Act ("the Act") for orders as follows:

- an order of possession pursuant to section 56 of the Act

Both parties confirmed they were not recording the hearing pursuant to Rule of Procedure 6.11. The parties were affirmed.

Both parties attended the hearing with the landlords being represented by landlord MS, while the tenant was represented by tenant JA. Witnesses, BD for the landlord, and RA for the tenant appeared initially but were not required for the hearing.

### Settlement

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.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

1. The tenants agree to provide the landlord with vacant possession of the subject rental property on October 31, 2022, at 1:00 P.M.

2. Both parties agreed that this settlement agreement constituted a final and binding resolution of the tenant's application.

These particulars comprise the full and final settlement of all aspects of this dispute for both parties. Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion. Both parties testified that they understood and agreed that the above terms are legal, final, binding and enforceable, which settle all aspects of this dispute.

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect on October 31, 2022, at 1:00 P.M. The landlord is provided with this order in the above terms and must serve it on the tenant in accordance with the Act. If the tenant fails to comply with this order, this order may be filed and enforced as an order of the Supreme Court of British Columbia.

### Conclusion

I order the parties to comply with the terms of the settled agreement described above.

In support of the settlement, and with the agreement of the parties, I grant the Landlord an order of possession, which will be effective on October 31, 2022, 1:00 p.m. The order may be filed in and enforced as an order of the Supreme Court of British Columbia

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: September 15, 2022

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Residential Tenancy Branch