



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes Tenant: OLC
Landlord: OPM, OPB, FFL

Introduction and Preliminary Matter

Pursuant to section 58 of the *Residential Tenancy Act* (the Act), I was designated to hear crossed application regarding a residential tenancy dispute.

The tenant applied on May 27, 2022 for:

- an order for the landlord to comply with the Act, regulation, and/or tenancy agreement.

The landlord applied on June 24, 2022 for:

- an order of possession, the parties having signed a mutual agreement to end the tenancy;
- an order of possession, the tenancy agreement having a fixed term; and
- the filing fee.

Those present were affirmed and made aware of Residential Tenancy Branch Rule of Procedure 6.11 prohibiting recording dispute resolution hearings.

Neither party raised an issue regarding the service of their respective materials.

At the beginning of the hearing, the tenant indicated that she wished to withdraw her application.

Therefore, I dismiss the tenant's application.

Settlement

Pursuant to section 63 of the Act, the 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.

I advised the parties there is no obligation to resolve the dispute through settlement and that if either party did not wish to resolve this matter through settlement, I would hear testimony and make a decision based on the evidence before me. The parties were able to turn their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following binding settlement terms:

- 1) The tenant will deliver full and peaceable vacant possession of the rental unit to the landlord by 3:00 p.m. on November 1, 2022.
- 2) The tenant will pay the rent for October 2022, in the amount of \$1,630.00, by October 10, 2022.

Both parties testified at the hearing that they understood and agreed to the above terms, free of any duress or coercion, and that this was a full and final resolution of the issues between them. As the parties resolved matters by agreement, I make no findings of fact or law with respect to the landlord's application before me.

In support of the settlement terms, I grant the landlord an order of possession effective at 3:00 p.m. on November 1, 2022.

Conclusion

The tenant's application is dismissed.

The landlord is granted an order of possession effective November 1, 2022 at 3:00 p.m.

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: October 06, 2022

Residential Tenancy Branch