



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

This hearing was convened in response to an application by the Landlord for an order of possession pursuant to section 55 of the *Residential Tenancy Act* (the “Act”).

Both Parties attended the conference call hearing and were each given full opportunity under oath to be heard, to present evidence and to make submissions. During the hearing the Parties reached a settlement agreement. The Parties confirm that they conducted a final review for accuracy of the terms of the mutual agreement reached by Parties during the hearing. The Parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that they understood the nature of the full and final settlement of these matters.

Agreed Facts

The tenancy under written agreement with the Tenant and tenant IH started on April 1, 2020. Rent of \$1,300.00 is payable on the first day of each month. At the outset of the tenancy the Landlord collected \$650.00 as a security deposit. On June 30, 2022 tenant IH gave the Landlord a notice to end the tenancy for July 31, 2022 and moved out of the unit. The Tenant has since paid all rents as due and the Landlord has issued the Tenant a receipt for “use and occupancy only”.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end no later than 1:00 p.m. on March 31, 2023;**

2. **The Landlord will accept short notice from the Tenant to end the tenancy sooner than March 31, 2023; and**
3. **These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63(2) of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. To give effect to this agreement I grant the Landlord an order of possession effective 1:00 p.m. on March 31, 2023.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective at 1:00 p.m. on March 31, 2023. The Tenant must be served with this **Order of Possession**. Should the Tenant fail to comply with the order, the order may be filed in 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 Act.

Dated: December 01, 2022

Residential Tenancy Branch