



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes OPT

Introduction

This hearing convened as a result of a Tenant's Application for Dispute Resolution, filed on December 8, 2022, wherein the Tenant sought

The hearing of the Tenant's Application was scheduled for teleconference at * on *. Both parties called into the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

Settlement and Conclusion

The Tenant confirmed he has secured alternate rental accommodation such that he does not wish to return to the rental unit; accordingly, his request for an Order of Possession is no longer required and is dismissed without leave to reapply.

During the hearing the parties discussed the Tenant's personal possessions which remain at the rental unit as well as an agreeable time for the Tenant to retrieve those items. The parties resolved this issue by mutual agreement and as such, the terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved this matter by agreement I make no findings of fact or law with respect to any issues relating to the Tenant's personal possessions.

The parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and further confirmed their agreement to the date, irrespective of when they receive this Decision.

The terms of their settlement follow.

1. The Tenant shall retrieve his personal possessions from the rental property at 10:00 a.m. on Sunday January 8, 2023.
2. The Tenant is at liberty to apply for monetary compensation for any lost or damaged items as well as any losses incurred arising from the end of the tenancy.

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: January 05, 2023

Residential Tenancy Branch