



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 early end to the tenancy and an order of possession pursuant to section 56 of the *Residential Tenancy Act* (the “Act”).

Both Parties attended the conference call hearing and made submissions under oath. The Parties confirmed receipt of each other’s evidence. During the hearing the Parties reached a settlement agreement. The Parties 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 began on May 1, 2022. Rent of \$995.00 is payable on the first day of each month. In November 2022 the Landlord served the Tenant with a one month notice to end tenancy for cause. The Tenant disputed this notice and the hearing is scheduled for March 16, 2023.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end no later than 1:00 p.m. on February 28, 2023;**
- 2. If the Tenant is able to move out earlier the Landlord will accept short notice for the move-out;**

3. **The Landlord will repair the electricity to the Tenant's room no later than Friday February 3, 2023; and**
4. **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 settlement I grant the Landlord an order of possession for February 28, 2023.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective at 1:00 p.m. on February 28, 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: January 30, 2023

Residential Tenancy Branch