



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes: *ET, FF*

Introduction

This hearing dealt with an application by the landlord pursuant to the *Residential Tenancy Act* for an order of possession, to put an early end to tenancy and for the recovery of the filing fee.

Both parties attended the hearing and were given full opportunity to present evidence and make submissions.

At the start of the hearing the parties informed me that prior to this hearing, they had entered into mutual end to tenancy agreement. Both parties confirmed that on February 24, 2023, the parties signed an agreement which would bring the tenancy to an end on March 05, 2023.

According to the agreement the tenant agreed to move out by 1:00pm on March 05, 2023. The landlord has requested an order of possession effective this date.

Analysis

Based on the mutual agreement entered into by both parties, I find that the tenant has agreed to move out by 1:00pm on March 05, 2023. Therefore, I find that the landlord is entitled to an order of possession and pursuant to section 55; I am issuing a formal order of possession effective by 1:00pm on March 05, 2023. The Order may be filed in the Supreme Court for enforcement.

As this dispute was resolved by mutual agreement and not based on the merits of the case, I decline the landlord's request to recover the filing fee paid for this application.

Conclusion

I grant the landlord an order of possession effective by **1:00pm on March 05, 2023.**

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: February 27, 2023

Residential Tenancy Branch