



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **OPR, FFL**

Introduction

This hearing dealt with an application by the landlords pursuant to the Residential Tenancy Act (“Act”) for orders as follows:

- an order of possession pursuant to section 55 of the Act

Both parties attended the hearing with the landlord being represented by landlord MA and ZA and counsel JC while the tenant Tc appeared for herself.

Both parties were reminded to not record the hearing pursuant to Rule of Procedure 6.11. The parties were affirmed.

The tenant confirmed receipt on September 17, 2022 of the 10 Day Notice to End Tenancy (“10 Day Notice”) dated September 16, 2022. Pursuant to section 88 of the Act the tenant is found to have been served with this notice in accordance with the Act. The tenant acknowledged receipt of the dispute notice and the landlord’s evidence.

Settlement

Pursuant to section 63 of the *RTA*, an 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. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues listed in this application for dispute resolution:

1. The tenant agrees to provide the landlord with vacant possession of the subject rental property on March 15, 2023 at 1:00 P.M.
2. If the tenant finds accommodation sooner than March 15, 2023 she will provide the landlords with adequate written notice.
3. The tenant acknowledged rent in its entirety had to be paid up to March 15, 2023. If she provides written notice to the landlords in accordance with the Act prior to that date, the tenant is only required to pay rent up until the date she vacates the rental unit.
4. The tenant agrees to pay \$2,500.00 in unpaid rent by July 1, 2023.

As the parties have reached a settlement, I make no factual findings about the merits of this application, and I have only addressed the issues brought forward in the application before me.

Conclusion

I order the parties to comply with the terms of the settled agreement described above.

To give effect to the settlement reached between the parties and as discussed with them during the hearing, pursuant to section 63(2) of the Act, I issue an order of possession to the landlord, which is to take effect on March 15, 2023 at 1:00 P.M. and a monetary order in favour of the landlord in the amount of \$2,500.00.

The landlords are provided with these orders in the above terms and must serve them on the tenant in accordance with the *RTA*. If the tenant fails to comply with these orders, the landlord may enforce the order of possession in the Supreme Court of British Columbia and the monetary order in the Provincial Court of British Columbia

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 16, 2023

Residential Tenancy Branch