



Dispute Resolution Services

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes ET, FFL

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "**Act**") for:

- an early end to the tenancy and an order of possession pursuant to section 56; and
- authorization to recover the filing fee for this application from the tenant pursuant to section 72.

Both parties attended the hearing. The landlord was represented by counsel, and was assisted by her real estate agent and daughter (who acted as translator).

Pursuant to section 63 of the Act, 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 currently under dispute:

1. The tenant will provide the landlord with vacant possession of the rental unit on or before April 15, 2023 at 1:00 pm.
2. The tenant will pay the landlord \$13,500, representing full payment of rental arrears owed as of the date of the hearing.
3. The tenant will pay monthly rent for April 2023 of \$2,250 on April 1, 2023.
4. The tenant will pay the full balance of rental unit's municipal utility bill, up to April 15, 2023.
5. The tenant will grant the landlord entry to the rental unit by March 13, 2023 to repair a defective light switch.
6. The tenant will return the keys to the rental unit to the landlord at the end of the tenancy.
7. The landlord will not attend the rental unit until the end of the tenancy (April 15, 2023), except as set out above, in the case of emergencies, or with the consent of the tenant.
8. The parties will each contact the Residential Tenancy Branch to withdraw (for the tenant) or confirm her consent to the withdrawal (for the landlord) of the tenant's application scheduled in May 2023.

9. The parties will comply with their obligation Act regarding the move-out inspection and the return of the security deposit.

These particulars comprise the full and final settlement of all aspects of this dispute. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final, and binding, which settle all aspects of this dispute.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties, and as discussed at the hearing, I issue the attached:

- 1) Monetary order ordering the tenant to pay the landlord the current arrears of \$13,500.
- 2) Order of possession which orders that the tenant provide vacant possession of the rental unit to the landlord by 1:00 pm on April 15, 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: March 6, 2023

Residential Tenancy Branch