



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

## **DECISION**

**Dispute Codes**      **OPT, FFT**

### **Introduction**

This is an application by the tenant by way of an expedited hearing pursuant to the Residential Tenancy Act ("Act") for orders as follows:

- an order of possession for the subject residential property pursuant to section 54 of the Act
- for reimbursement of the filing fee pursuant to section 72 of the Act

The landlord attended the hearing represented by SV. The tenant CJ attended represented by JJ and TB. All parties present were given a full opportunity to be heard, to present their sworn testimony and to make submissions under oath.

The hearing was conducted by conference call. The parties were reminded not to record the hearing pursuant to Rule of Procedure 6.11. The parties were affirmed.

I confirmed service of the hearing package with the landlord and no issues arose.

### **Preliminary Issue**

The landlord was incorrectly named in the dispute application. Based on Section 64(3)(c) of the Act I have amended the application to reflect the correct name.

### **Settlement**

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 listed in this application for dispute resolution:

1. The landlord agrees to allow the tenant to access the rental unit to retrieve his belongings at a mutually agreeable time but no later than April 30, 2023 at 1:00 pm.

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.

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: April 24, 2023

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Residential Tenancy Branch