



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Kinvillage Association
and [tenant name suppressed to protect privacy]

DECISION

Introduction

This hearing was convened in response to an application by the Landlord for an order of possession pursuant to section 47 of the *Residential Tenancy Act* (the “Act”).

The Landlord and Tenant were each given full opportunity to be heard, to present evidence and to make submissions. During the hearing the Parties reached a settlement agreement to resolve the dispute. 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 started on October 14, 2007. Rent of \$522.00 is payable on the first day of each month. At the outset of the tenancy the Landlord collected \$240.00 as a security deposit. The Landlord gave the Tenant a one month notice to end tenancy for cause dated November 16, 2022 (the “Notice”). Since giving the Notice and from December 1, 2022 forward the Landlord has refused to accept rent payments.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The tenancy will end no later than June 30, 2023;**

2. If the Tenant wishes to move out sooner the Landlord will accept short notice; and
3. 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 agreement I grant the Landlord an order of possession on the terms of the agreement.

Conclusion

The Parties have settled the dispute.

I grant an Order of Possession to the Landlord effective at 1:00 p.m. on June 30, 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: May 08, 2023

Residential Tenancy Branch