



# Dispute Resolution Services

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Residential Tenancy Branch  
Ministry of Housing

A matter regarding CARTIZ ENTERPRIZES LTD.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      ET, FFL

### Introduction

This hearing was set to deal with a landlord's application for an order to end the tenancy early and obtain an Order of Possession under section 56 of the Act.

Both parties appeared and/or were represented at the hearing and the parties were affirmed.

I confirmed the parties had exchange their respective hearing materials and evidence upon each other. The parties' evidence included digital evidence, mainly videos. The digital evidence was accessible and viewed by the parties with the exception of an audio recording that the property manager was unable to open. I admitted the evidence with the exception of the audio recording.

The hearing process was explained to the parties and the parties were given the opportunity to ask questions about the process.

After both parties had an opportunity to be heard, the parties indicated a willingness to resolve this matter by way of a mutual agreement. I was able to facilitate a mutual agreement and I have recorded it by way of this decision and the Orders that accompany it.

### Issue(s) to be Decided

What are the terms of the mutual agreement?

### Background and Evidence

During the hearing, the parties agreed to the following terms and conditions in resolution of this matter:

1. The tenants are permitted to continue to occupy the rental unit and the tenancy shall continue until **no later than August 31, 2023 conditional** upon the following:
  - a. The tenants pay the rent in full and on or before the first day of each month for the remainder of the tenancy.
  - b. The tenants must not harass, verbally or physically intimidate or threaten any of the landlord's agents, property manager, contractors, other tenants or other occupants of the residential property in any circumstance.
  - c. The tenants must not damage or disable any part of the residential property, including the rental unit and common areas, or equipment belonging to the landlord including security cameras.
2. The landlord is provided two Orders of Possession with this decision:
  - a. An Order of Possession effective August 31, 2023 that may be served and enforced upon the tenants in any circumstance.
  - b. A conditional Order of Possession effective two days after service upon the tenants if either of the tenants breach any of the conditions described under part 1. above.
3. The tenants may choose to end the tenancy earlier than August 31, 2023 and the landlord will waive entitlement to receive one full month of advance notice. To end the tenancy earlier than August 31, 2023 the tenants are to email the landlord and provide the date they will be vacating the rental unit.

During the hearing, I impressed upon the tenants that there is no justification or tolerance for harassing, intimidating, or threatening the landlord's agent or property manager, other tenants or other occupants of the property, or damaging any of the landlord's property. The tenants indicated they understood.

As most of the offending behaviour I heard about during the hearing involved the male tenant, I suggested that for the remainder of the tenancy the landlord's agent or property manager try to deal with the female tenant primarily when it is necessary and appropriate to communicate with the tenants or enter the rental unit.

### Analysis

Pursuant to section 63 of the Act, I have the authority to assist parties in reaching a settlement agreement during the hearing and to record the agreement in the form of a decision or order.

I have accepted and recorded the mutual agreement reached by the parties during this hearing and I make the term(s) an Order of mine to be binding upon both parties.

In recognition of the mutual agreement, I provide the landlord with two Orders of Possession as described under part 2. of the mutual agreement.

### Conclusion

The parties reached a mutual agreement in resolution of this application that I have recorded in this decision and by way of the two Orders of Possession provided to the landlord with this decision.

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: June 01, 2023

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Residential Tenancy Branch