



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Ministry of Housing

DECISION

Dispute Codes (T) LAT, OLC, FFT
(L) OPC, FFL

Introduction

This hearing was scheduled on:

the Tenant's Application for Dispute Resolution under the *Residential Tenancy Act* (the "Act") for an order to change locks to the rental unit, an order that the Landlord comply with the Act, regulations and/or tenancy agreement, and authorization to recover the filing fee from the Landlord;

and,

the Landlord's application for dispute resolution for an order of possession based upon a One Month Notice to End Tenancy issued July 28, 2023, and authorization to recover the filing fee from the Tenant.

At the outset of the hearing, legal counsel for the Landlord stated that a settlement had been reached on all issues prior to the commencement of the hearing. This was confirmed by the Tenant.

Analysis

Under section 63 of the Act, the Arbitrator may assist the parties to settle their dispute. 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 this hearing, the parties reached an agreement to settle their dispute.

Both parties agreed to the following terms of a final and binding resolution of the Tenant's and Landlord's respective applications and the issues in dispute arising from this tenancy at this time and that they did so voluntarily, knowingly and without any element of coercion or duress:

- (1) The parties have agreed to a mutual end of the tenancy of the subject rental unit on May 31, 2024, with all current terms of the tenancy to continue until that time.
- (2) An Order of Possession to take effect on June 1, 2024 at 1:00 p.m. is issued to the Landlord to secure the Tenant's performance under this settlement.
- (3) Each party withdraws their respective application for dispute resolution.
- (4) Both parties agreed that these particulars comprise the full settlement of all aspects of the Tenant's current application for dispute resolution.

The issuance of an Order of Possession to the Landlord to assure Tenant's performance under the terms of the Settlement Agreement was confirmed with the parties during the hearing and the parties understood the purpose for issuance of the Order of Possession.

Conclusion

Therefore, the parties' respective applications for dispute resolution are withdrawn. I make no findings on either the Landlord or the Tenant's applications for dispute resolution.

To give effect to the above settlement reached between the parties, I grant an Order of Possession to the Landlord effective June 1, 2024 at 1:00 p.m. The Landlord is provided with this Order and the Tenant must be served with a copy of the Order. Should the Tenant or any occupant on the premises fail to comply with this Order, the Order may be filed and enforced as an Order of the Supreme 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: November 24, 2023

Residential Tenancy Branch