



Dispute Resolution Services

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Residential Tenancy Branch
Ministry of Housing and Social Development

DECISION

Dispute Codes ET, FF

Introduction and Negotiated Resolution

This hearing dealt with the Landlord's Application for Dispute Resolution, seeking to end the tenancy immediately and receive an order of possession, pursuant to section 56 of the Act. During the course of the hearing, it was explained to both parties that section 56 of the Act provides an extraordinary remedy, which is granted to landlords only in specific circumstances as outlined in that section of the Act.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions to me.

I have reviewed all oral and written evidence before me that met the requirements of the rules of procedure. However, only the evidence relevant to the issues and findings in this matter are described in this Decision.

During the course of the hearing the parties negotiated a resolution to the dispute as recorded below:

1. The tenancy will end no later than 1:00 p.m. December 31, 2010;
2. The Tenant may leave the rental unit anytime in December although she must vacate no later than 1:00 p.m. December 31, 2010, and the parties consented to an order of possession being issued to the Landlord for that time and date;
3. No adjustment will be made for the December rent paid by the Tenant; and
4. The Landlord shall pay the Tenant the sum of **\$1,687.00**, comprised of two months of rent (2 x \$681.00) and the security deposit of \$325.00, immediately upon the Tenant vacating the rental unit, and the parties consented to a monetary order being issued to the Tenant in that amount.

The parties are commended for reaching an agreement to end the dispute.

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: December 14, 2010.

Dispute Resolution Officer