



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET, FF

Introduction

This hearing was scheduled to deal with a landlord's application for an order to end the tenancy early and obtain an Order of Possession as provided under section 56 of the Act. Both parties appeared or were represented at the hearing and were provided the opportunity to make relevant submissions pursuant to the Rules of Procedure and to respond to the submissions of the other party.

During the hearing, the parties reached a mutual agreement to resolve this dispute that I have recorded by way of this decision and the Orders that accompany it.

Issue(s) to be Decided

Terms of the mutual agreement.

Background and Evidence

The parties mutually agreed to the following terms in resolution of their dispute.

1. Within two days of this date, the landlord shall pay to the tenant \$400.00, which includes a refund of the \$300.00 security deposit.
2. The tenancy shall continue until no later than 7:00 p.m. on July 17, 2014 at which time she shall return possession and keys to the rental unit to the landlord.
3. At the same time possession and keys are returned to the landlord, the landlord shall pay to the tenant a further \$500.00.
4. The tenant shall leave the rental unit reasonably clean, undamaged and vacant of all of her possessions.
5. The tenant shall leave the landlord's stereo system in the rental unit and shall not cause any damage to it during the remainder of her occupancy.

6. During the remainder of the tenant's occupancy, the parties shall refrain from communicating with each other except for purposes of paying the tenant compensation and returning possession of the unit to the landlord.

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 a settlement 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 make the terms an order of mine, to be binding upon both parties.

In recognition of the mutual agreement and to ensure both parties fulfill the mutual agreement, I provide the tenant with a Monetary Order in the amount of \$900.00 and I provide the landlord with an Order of Possession that is effective at 7:00 p.m. on July 17, 2014. Service of these Orders upon the other party is not necessary unless the other party is in violation of term #1, #2 or #3 of the mutual agreement.

For further certainty, the compensation payable to the tenant under the mutual agreement includes return of the tenant's security deposit. As such, the disposition of the security deposit shall not be a basis for any future dispute between the parties.

Conclusion

The parties reached a mutual agreement in resolution of their dispute that I have recorded in this decision. The tenant has been provided a Monetary Order in the sum of \$900.00 and the landlord has been provided an Order of Possession effective at 7:00 pm. on July 17, 2014.

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: July 10, 2014

Residential Tenancy Branch

