



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

ET

Introduction

This was the reconvened hearing dealing with the landlord's application for dispute resolution under the Residential Tenancy Act (the "Act"). The landlord applied for an order ending the tenancy earlier than the tenancy would end if a notice to end the tenancy were given under section 47 of the Act.

This hearing began on February 6, 2015, and dealt only with evidence issues.

An Interim Decision which was entered on February 6, 2015, and may be read in conjunction with this Decision.

At the beginning of the hearing, the attending parties entered into a negotiated settlement discussion, and following this discussion, the parties agreed to a settlement in this matter, as follows:

Settled Agreement

The landlord and the tenant agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The tenant agrees to vacate the rental unit by 1:00 p.m. on March 31, 2015;
2. The landlord agrees that the tenancy will continue until 1:00 p.m., March 31, 2015;
3. The tenant understands the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenant fails to vacate the rental unit by 1:00 p.m., March 31, 2015, the landlord may serve the order of possession on the tenant and obtain a writ of possession;
4. The landlord agrees to compensate the tenant the amount of \$1500.00. To satisfy or redeem this award, the tenant will not pay the monthly rent of \$750.00 for March 2015, and further, the landlord will pay the tenant the amount of \$750.00 on or before March 1, 2015, by cheque;

5. The parties are aware that the tenant's security deposit is a separate issue apart from any monetary consideration addressed in this Decision; and
6. The parties acknowledge their understanding that this settled agreement resolves the matters contained in the landlord's application and that no finding is made on the merits of the said application for dispute resolution.

Conclusion

The landlord and the tenant have reached a settled agreement.

Based upon the settled agreement as outlined above, I provide the landlord with an order of possession for the rental unit in the event the tenant fails to vacate the rental unit by March 31, 2015, at 1:00 p.m.

The order of possession is enclosed with the landlord's Decision. This order is a legally binding, final order, and may be filed in the Supreme Court of British Columbia for enforcement as an order of that Court should it become necessary. The tenant should be aware that costs of such enforcement are subject to recovery by the landlord.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*. The parties are bound by the terms of this agreement, as well as by the terms of their tenancy agreement and the Act. Should either party violate the terms of this settled agreement, the tenancy agreement or the Act, it is open to the other party to take steps under the Act to seek remedy.

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: February 20, 2015

Residential Tenancy Branch

