



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes                      OPL, CNL, OLC, ERP, RP, PSF

### Introduction

This hearing was convened in response to an application by the Tenant and an application by the Landlord pursuant to the *Residential Tenancy Act* (the "Act").

The Tenant applied for:

1. An Order cancelling a Notice to End Tenancy - Section 49;
2. An Order compelling the Landlord to comply with the Act - Section 62;
3. An Order for emergency and other repairs - Section 32; and
4. An Order for the provision of services or facilities required by law - Section 65.

The Landlord applied for:

1. An Order of Possession - Section 55.

The Tenant and Landlord were each given full opportunity under oath to be heard, to present evidence and to make submissions. During the Hearing the Parties reached a mutual agreement to end the tenancy.

### Agreed Facts

The tenancy started on July 1, 2014. Rent of \$1,125.00 is payable monthly. At the outset of the tenancy the Landlord collected \$562.50 (\$187.50 for each Tenant x 3) as a security deposit. On March 30, 2015 the Landlord served the Tenants with a two month notice to end tenancy for landlord's use with an effective date of May 31, 2015.

### Settlement Agreement

Section 63 of the Act is set out as follows:

- (1) The director may assist the parties, or offer the parties an opportunity, to settle their dispute.

- (2) If the parties settle their dispute during dispute resolution proceedings, the director may record the settlement in the form of a decision or order.

**The Parties mutually agree as follows:**

- 1. The Tenants will move out of the unit on or before 1:00 p.m. on June 15, 2015;**
- 2. No rents are payable for the period June 1 to 15, 2015 inclusive; and**
- 3. These terms comprise the full and final settlement of all aspects of this dispute for both parties.**

Given the authority under the Act and agreement reached between the Parties during the proceedings and set out below, I find that the Parties have settled their dispute over the end of the tenancy.

As the Parties have agreed to end the tenancy and as the remaining claims of the Tenants are in relation to an ongoing tenancy I dismiss the remaining claims of the Tenants. In order to give effect to the agreement to end the tenancy I provide the Landlord with an Order of Possession for June 15, 2015.

Conclusion

The dispute over the end of the tenancy has been settled. The remaining claims of the Tenants are dismissed. **I grant** an Order of Possession to the Landlord **effective 1:00 p.m. on June 15, 2015.**

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: May 28, 2015

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Residential Tenancy Branch

