



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

### Dispute Codes

ET, FF

### Introduction

This hearing dealt with an application by the landlord seeking to end this tenancy early pursuant to section 56 of the *Act*.

Both parties were present at the hearing. At the start of the hearing I introduced myself and the participants. The hearing process was explained and the parties were provided with an opportunity to ask questions about the hearing process. They were provided with the opportunity to submit documentary evidence prior to this hearing, all of which has been reviewed, to present affirmed oral testimony and to make submissions during the hearing. I have considered all of the evidence and testimony provided.

### Preliminary Matters

The tenants' witnesses were excused from the hearing and agreed to be called in when they were required to testify.

### Issue to be Determined

Has the landlord established the grounds to end this tenancy early pursuant to section 56 of the *Act*?

### Mutually Settled Agreement

After providing submissions over a 35 minute period of time the parties agreed to mutually settled the matter. The witnesses were not called in to testify. The parties fully acknowledged the mutual agreement details and each voluntarily agreed and confirmed the terms.

The parties mutually agreed to the following:

- The tenants will vacate the rental unit no later than November 1, 2016 at 1:00 p.m.; and
- The landlord is entitled to an order of possession effective November 1, 2016 at 1:00 p.m.

Section 63 of the *Act* provides:

**Opportunity to settle dispute**

**63** (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 an order.*

Therefore, in support of the mutually settled agreement, I find and order pursuant to section 63 and of the Act that the tenancy will end effective November 1, 2016 at 1:00 p.m.

Pursuant to section 55 of the Act I find that the landlord is entitled to an order of possession.

The parties understand that \$800.00 rent is due on the first day of each month. If rent is not paid the landlord is at liberty to issue a 10 day Notice to end tenancy for unpaid rent and to request a hearing and eviction order for an earlier date. The parties were encouraged to settle any outstanding matters regarding any unpaid rent that may be due.

Conclusion

The parties have reached a mutually settled agreement to end the tenancy.

The landlord is entitled to an order of possession.

This decision and mutually settled agreement is final and binding and 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: September 02, 2016

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Residential Tenancy Branch