



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes

**ET, FFL**

### Introduction

This hearing dealt with an *Application for Dispute Resolution – Expedited Hearing* by the landlord under the *Residential Tenancy Act* (the *Act*) for the following: An order for an early end of a tenancy and an order of possession pursuant to section 56.

MC, lawyer, attended for the landlord (“the landlord”). The tenants attended (“the tenant”). The parties were given a full opportunity to be heard, to present affirmed testimony, make submissions, and call witnesses. The parties did not raise any issues regarding the service of evidence. The hearing process was explained, and each party had the opportunity to ask questions. The hearing lasted 19 minutes.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the *Act*, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order.

Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision:

### **The parties agreed as follows:**

1. The tenancy between the parties will end by 1:00 PM on November 30, 2020, by which time the tenant and any other occupants will return vacant possession of the rental unit to the landlord;

2. Providing the tenant has provided the landlord with three weeks' notice of their intention to vacate on an earlier date, the landlord shall reimburse the tenant for the unused portion of the rent on a pro rata basis;
3. The issue of the return of the security deposit shall be dealt with by the parties in accordance with the Act when the tenant vacates.

In support of this settlement and with the agreement of both parties, I grant the landlord an Order of Possession effective 1:00 PM on November 30, 2020.

Should the tenant fail to comply with this Order, the Order may be filed and enforced as an Order of the Supreme Court of British Columbia.

This settlement agreement was reached in accordance with section 63 of the *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 agreement, the tenancy agreement or the *Act*, it is open to the other party to take steps under the *Act* for an appropriate remedy.

### Conclusion

Pursuant to the settlement between the parties, I grant the landlord an Order of Possession effective 1:00 PM on November 30, 2020.

This Order must be served on the tenant. Should the tenant fail to comply with this Order, this Order may be filed and enforced as an Order of the Supreme Court of British Columbia

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: October 15, 2020

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Residential Tenancy Branch