



Dispute Resolution Services

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes ET

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "**Act**") for an early end to the tenancy and an order of possession pursuant to section 56.

The tenants, and tenant MG's sister ("**RG**"), attended the hearing. The landlord attended the hearing, and was assisted by her neighbour ("**SW**"). All were given a full opportunity to be heard, to present affirmed testimony, to make submissions.

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties settle their dispute during the dispute resolution proceedings, the settlement may be recorded in the form of a decision or an order. During the hearing the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise and achieved a resolution of their dispute.

Both parties agreed to the following final and binding settlement of all issues currently under dispute:

1. The tenants will provide the landlord with vacant possession of the rental unit on or before April 1, 2022.
2. The landlord will conduct an inspection of the rental unit on February 10, 2023 at 3:00 pm.
3. At this inspection, the landlord may be accompanied by up to one additional individual and may take photographs of the interior of any part of the rental unit.
4. The landlord must cease taking photographs of the tenant's visitors outside the rental unit.
5. The tenants must pay rent when it is due.
6. Following the inspection, the parties may discuss resolving the issues of apportionment of the cost of utilities and responsibility for repairing the rental unit. If the parties cannot reach an agreement on these issues, they may make an application for dispute resolution to the Residential Tenancy Branch.

These particulars comprise the full and final settlement of all aspects of this dispute. The parties gave verbal affirmation at the hearing that they understood and agreed to the above terms as legal, final, and binding, which settle all aspects of this dispute between them.

Conclusion

As the parties have reached a settlement, I make no factual findings about the merits of this application.

To give effect to the settlement reached between the parties, and as discussed at the hearing, I issue the attached order of possession which orders that the tenant provide vacant possession of the rental unit to the landlord by 1:00 pm on April 1, 2023

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 7, 2023

Residential Tenancy Branch