



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Introduction

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the "Act") for:

- an early end to this tenancy and an order of possession pursuant to section 56.

All named parties attended the hearing. During the hearing, the parties expressed an interest and were successful in resolving this dispute by mutual agreement.

Terms of Settlement

Pursuant to section 63 of the Act, an 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.

The parties reached an agreement to settle their dispute under the following final and binding terms:

1. The tenant and landlord agree **that this tenancy will end no later than 1:00 p.m. on May 31, 2023**, and, the landlord will be granted an **Order of Possession**.
2. The tenant is currently admitted in hospital and shall continue to have day pass access to the rental unit up until May 31, 2023.
3. If the tenant is discharged from the hospital prior to May 31, 2023, the tenant agrees he will not stay overnight at the rental unit.
4. The landlord has offered to make alternative overnight shelter arrangements available for if requested by the tenant.

5. If the tenant fails to comply with condition #3 above, the landlord may enforce the attached order of possession effective **IMMEDIATELY after service of the Order** on the tenant. Otherwise, the landlord is not to enforce the attached order of possession until May 31, 2023.

Each party confirmed that this agreement was reached voluntarily and that they understood the terms of the agreement. The parties agreed that these particulars comprise the full and final settlement of all aspects of this dispute.

This Decision and Settlement Agreement is final and binding on both parties.

Conclusion

Subject to the conditions described above, I grant an Order of Possession to the landlord effective **IMMEDIATELY after service of the Order** 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: April 18, 2023

Residential Tenancy Branch