



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Aldergrove Kinsmen Housing Society
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR

Introduction

This hearing was convened as the result of the tenant's application for dispute Resolution under the Residential Tenancy Act (the "Act"), seeking an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent (the "Notice").

The parties appeared, each presented some information, and the evidence was reviewed and discussed.

Preliminary issue-The landlord submitted a copy of a previous Decision issued by another Arbitrator on April 16, 2013, wherein the parties had also reached a settled agreement. The agreement dealt with the issue of unpaid rent and 6 equal installment payments to satisfy the lump sum of unpaid rent due by that date.

Issue(s) to be Decided

Will the 10 Day Notice be cancelled?

Can the parties reach a mutual agreement to resolve this dispute?

Settled Agreement

The tenant and the landlord agreed that they could resolve their differences and reach a mutual settlement under the following terms and conditions:

1. The landlord agreed that as of the day of the hearing the tenant had paid the May and June rent payments as well as the first two installments of \$169.83, although the payments were paid late;

2. The landlord agreed that this tenancy could continue so long as the tenant continued to make timely rent payments and the installment payments as agreed to in the Decision of April 16, 2013;
3. The tenant agreed that she understood she remains bound by the terms of her settled agreement recorded in the Decision of April 16, 2013;
4. The landlord agreed that she was not requesting an order of possession for the rental unit pursuant to the 10 Day Notice issued in this case, on May 2, 2013, listing \$1902 in unpaid rent;
5. The parties agree that the Notice dated May 2, 2013 should be withdrawn and of no force or effect; and
6. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the tenant's application and that no finding is made on the merits of the said application for dispute resolution.

Conclusion

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

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* and is being mailed to both the applicant and the respondent.

Dated: June 04, 2013

Residential Tenancy Branch

