



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding Vancouver Eviction Services  
and [tenant name suppressed to protect privacy]

## **DECISION**

### **Dispute Codes**

For the tenant: CNR, FF  
For the landlord: OPR, MNR, FF

### **Introduction**

This hearing was convened as the result of the applications for dispute resolution under the Residential Tenancy Act ("Act") by each party.

The tenant applied for an order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent ("Notice") and for recovery of the filing fee paid for this application.

The landlords applied for an order of possession for the rental unit pursuant to the Notice, a monetary order for unpaid rent, and for recovery of the filing fee paid for this application.

The tenant, the landlord, and the landlord's agent attended the hearing and an immediate mediated discussion occurred, resulting in the parties agreeing to mutually resolve their respective applications. The parties also agreed that I would record their settlement.

Words utilizing the singular shall also include the plural and vice versa where the context requires.

### **Settled Agreement**

The parties agreed to a mutual settlement under the following terms and conditions:

1. The tenant agrees to vacate the rental unit by 12:00 noon on December 1, 2015;
2. The landlord agrees that the tenancy will continue until 12:00 noon on December 1, 2015;
3. The tenant understands the landlord will be issued an order of possession for the rental unit, based upon the settled agreement, and that if the tenant fails to vacate the rental unit by 12:00 noon, December 1, 2015, the landlord may serve the order of possession on the tenant for enforcement purposes, with the understanding that costs of such enforcement are subject to recovery against the tenant;

4. The tenant agrees that she will pay the landlord the amount of \$7500.00, which comprises monthly rent for September, October, and November 2015, or \$2500.00 each month, on or before the date the tenant vacates the rental unit on December 1, 2015;
5. The tenant understands the landlord will be issued a monetary order for the amount of \$7500.00, based upon the settled agreement, and that if the tenant fails to pay this amount by the time they vacate by 12:00 noon, December 1, 2015, the landlord may serve the monetary order on the tenant for enforcement purposes, with the understanding that costs of such enforcement are subject to recovery against the tenant;
6. The landlord understands that the monetary order issued to them is of no force or effect upon payment of \$7500.00 by the tenant; and
7. The parties acknowledge their understanding that this settled Decision resolves the matters contained in the parties' respective applications and that no finding is made on the merits of either application for dispute resolution.

### Conclusion

The tenant and the landlord have reached a settled agreement as outlined above.

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 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 recording the parties' settled agreement 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: November 19, 2015

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Residential Tenancy Branch

