



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

This hearing dealt with the tenant's application for cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent (the 10 Day Notice) pursuant to section 46 of the *Residential Tenancy Act* (the Act).

Both the tenant and the landlord appeared. Neither party raised any issue with service of documents.

In the course of the parties were able to agree to a mutual end to this tenancy.

Analysis

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. 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.

During this hearing, the parties reached an agreement to settle their dispute under the following final and binding terms:

1. The landlord agreed to withdraw the 10 Day Notice.
2. The tenant agreed to make the following payments:
 - a. Rent for July 2016 in the amount of \$2,950.00 will be paid by bank draft or cash on or before 14 June 2016.
 - b. Rent for August 2016 in the amount of \$2,950.00 will be paid by wire transfer on or before 15 July 2016.

- c. Rent for September 2016 in the amount of \$2,950.00 will be paid by bank draft or cash on or before 15 August 2016.
3. The tenant agreed to provide possession of the rental unit to the landlord on or before one o'clock in the afternoon on 30 September 2016.

The parties stated that they understood the terms of this agreement and agreed to it. The parties agreed that these particulars comprise the full and final settlement of all aspects of their disputes for both parties.

The dates set out in paragraph 2 represent the date rent is due under the tenancy agreement for the purpose of section 26 of the Act.

Conclusion

The landlord's 10 Day Notice is withdrawn.

The monetary orders are to be used if the tenant does not pay the amounts to the landlord in accordance with their agreement. Should the tenant(s) fail to comply with these orders, these orders may be filed in the Small Claims Division of the Provincial Court and enforced as orders of that Court.

The attached order of possession is to be used by the landlord if the tenant does not vacate the rental premises in accordance with their agreement. 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 subsection 9.1(1) of the Act.

Dated: June 13, 2016

Residential Tenancy Branch