



# Dispute Resolution Services

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes                      CNR, ERP, OLC, PSF, RP, RR, FF

### Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling a notice to end tenancy - Section 46;
2. An Order for emergency and other repairs - Section 32
3. An Order for the Landlord’s compliance - Section 62;
4. An Order for the provision of services or facilities - Section 65;
5. An Order for a rent reduction; and
6. An Order to recover the filing fee for this application - Section 72.

The Landlord and Tenant were each given full opportunity under oath to be heard, to present evidence and to make submissions. During the Hearing the Parties reached a mutual agreement to settle the dispute.

### Agreed Facts

The tenancy began on September 1, 2015 on a fixed term to end August 30, 2016. At the end of the term the Tenant must move out of the unit. Rent of \$4,000.00 is payable on the first day of each month. At the outset of the tenancy the Landlord collected \$2,000.00 as a security deposit. During the tenancy the unit was sold to the current and named Landlord.

### Settlement Agreement

**The Parties mutually agree as follows:**

1. **The Landlord will pay the Tenant \$4,000.00 no later than 1:00 p.m. July 31, 2016;**

2. **The Tenant will pay no rent for June and July 2016;**
3. **The Tenant will move out of the unit no later than 1:00 p.m. July 31, 2016;**
4. **The Tenant waives all claims now or in the future in relation to the Landlord's obligations to repair and maintain the unit;**
5. **The Tenant will return the unit to the Landlord "as is" at the end of the tenancy; and**
6. **These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the settlement may be recorded in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute. In order to give effect to the agreement I provide the Tenant with a monetary order and the Landlord with an order of possession.

#### Conclusion

The Parties have settled the dispute.

**I grant** an Order of Possession to the Landlord effective 1:00 p.m. on July 31, 2016.

**I grant** the Tenant an order under Section 67 of the Act for **\$4,000.00**. If necessary, this order may be filed in the Small Claims Court and enforced as an order of that Court.

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: June 24, 2016

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Residential Tenancy Branch