



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding JASWALL BROS.
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, MT, DRI

Introduction and Analysis

This hearing dealt with the tenants' Application for Dispute Resolution (the "Application") under the Residential Tenancy Act (the "Act") for:

- more time to make an application to cancel the landlord's 10 Day Notice To End Tenancy for Unpaid Rent or Utilities (the "10 Day Notice");
- cancellation of the landlord's 10 Day Notice; and
- an order to cancel a rent increase that is not permitted under the *Act*.

The landlord's agent (the "Landlord") and the tenants appeared at the teleconference hearing and gave affirmed testimony.

Pursuant to section 63 of the *Act*, the 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 the course of the hearing, the parties reached an agreement to settle this matter, on the following conditions:

1. the tenants will vacate the rental unit by February 28, 2017 at 1:00 p.m.; and
2. the tenants will pay rent in the amount of \$750.00 due on February 1, 2017.

I grant the landlord an order of possession, effective February 28, 2017 at 1:00 p.m.

If the tenants fail to comply with the terms of this settlement agreement, the landlord may serve the order of possession on the tenants. If the landlord serves the order of possession on the tenants and the tenants fail to comply with the order, the order may

be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

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 agreement, the tenancy agreement or the *Act*, it is open to the other party to take steps under the *Act* to end the tenancy earlier or apply for monetary compensation or other orders under the *Act*.

Conclusion

I order the parties to comply with the terms of their settlement agreement described above.

Pursuant to section 55, I grant an Order of Possession to the landlord **effective February 28, 2017 at 1:00 p.m.**, subject to the tenant being served with this Order. 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: January 31, 2017

Residential Tenancy Branch