



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      OPR, MNR, CNR, MNDC, O, OLC, OPT, PSF, RP, RR

### Introduction

This hearing was convened in response to applications by the landlords and the tenant.

The landlords' application is seeking orders as follows:

1. For an order of possession;
2. For a monetary order for unpaid rent; and
3. To recover the cost of filing the application.

The tenant's application is seeking orders as follows:

1. To cancel a 10 Day Notice to End Tenancy for Unpaid Rent;
2. For money owed or compensation for damage or loss under the Act;
3. To have the landlord comply with the Act, regulation or tenancy agreement;
4. To Make repairs to the unit;
5. To obtain an order of possession of the rental unit; and
6. To allow a tenant to reduce rent for repairs.

Both parties appeared, gave affirmed testimony and were provided the opportunity to present their evidence orally and in written and documentary form, and to cross-examine the other party, and make submissions at the hearing.

### Preliminary and Procedural matter

At the outset of the hearing, I determined that AS listed in both applications was not a tenant under the terms of the tenancy agreement. Therefore, I found it appropriate to remove AS from the style of cause.

### Settlement

During the hearing the parties agreed to settle these matters, on the following conditions:

- 1) The parties agreed to mutually end the tenancy on February 1, 2017 at 1:00 p.m.
- 2) The landlord agreed to waive their rights to unpaid rent up to November 30, 2016;
- 3) The landlord is entitled to rent for December 2016, the landlord is to pick the rent up from the person it was left with as indicated in the hearing;
- 4) The landlord is entitled to accept the etransfer for rent for January 2017;
- 5) All communication between the parties should be through legal counsel; and
- 6) The parties agreed this is a **full and final settlement agreement** relating to this tenancy.

This settlement agreement was reached in accordance with section 63 of the *Residential Tenancy Act*.

### Conclusion

As a result of the above settlement, the landlord is granted an order of possession, should the tenant fail to comply with the settlement agreement.

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 03, 2017

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Residential Tenancy Branch