



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

CNR, MNDC, O (Tenant's Application)
OPR, MNR, MNSD, MNDC, FF (Landlords' Application)

Introduction

This hearing took place by telephone conference call in response to an Application for Dispute Resolution (the "Application") made by the Tenant on April 13, 2017 to cancel a notice to end tenancy for unpaid rent. The Tenant also applied for money owed or compensation for damage or loss under the *Residential Tenancy Act* (the "Act"), regulation or tenancy agreement, and for "Other" issues.

The Tenant appeared with this father who assisted the Tenant in the hearing. An agent for the Landlords also appeared for the hearing. The participants provided affirmed testimony. The hearing process was explained and no questions were asked of how the proceedings would be conducted.

The Landlords' agent confirmed receipt of the Tenant's Application by registered mail and the Tenant's documentary evidence. The Landlords' agent confirmed that the Landlords had not provided any documentary evidence for this hearing. However, the Landlords' agent stated that the Landlords had also filed an Application which was scheduled to be heard on June 7, 2016 under the file number appearing on the front page of this Decision, and requested the Landlord's Application be heard in this hearing.

The Tenant was asked whether he consented to allowing the Landlords' Application to be determined in this hearing, which was initially rejected by the Tenant. As the Tenant had not been served with the Landlords' Application at the time of this hearing, I declined to deal with the Landlords' matters in this hearing as a cross application.

The parties confirmed the Tenant had vacated the rental unit and that the Tenant's request to cancel the notice to end tenancy for unpaid rent was withdrawn as the Landlords had received vacant possession of the rental unit. However, after a lengthy discussion between the parties, they agreed to deal with both parties' monetary claims for this dispute by way of mutual agreement as follows.

Section 63 of the Act allows an Arbitrator to 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. Accordingly, I assisted the parties to resolve this dispute by helping to craft the following settlement agreement with the input from both parties.

Settlement Agreement

Both parties agreed to settle both Applications **in full and final satisfaction** as follows:

1. The Tenant withdrew his monetary claim against the Landlords.
2. The Landlords' agent agreed to reduce the rental arrears in this tenancy from \$2,600.00 to \$2,000.00.
3. The Landlords' agent agreed that the Tenant can pay this amount in the form of monthly payments by e-transfer of \$50.00 each until the debt is fully satisfied.
4. The parties agreed that the monthly payments are to be received (not issued) by the Landlords on or before the last day of each month. The parties agreed the first payment will be made on or before June 30, 2017.
5. The Landlords are issued with a Monetary Order in the amount of \$2,000.00, which can be enforced **if** the Tenant fails to make any of the payments in the manner agreed above. Copies of this order are attached with the Landlords' copy of this Decision.
6. Both parties are cautioned to keep detailed written records of any transactions that are made with regards to the above terms of the agreement.
7. The parties do not have to appear for the June 7, 2017 hearing as the Landlords' Application was settled in this hearing and is hereby canceled. No further Applications are permitted.

Both parties agreed that this agreement was made voluntarily and confirmed their understanding and agreement of resolution in this manner at the conclusion of the hearing. Both files are now closed. This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: May 17, 2017

Residential Tenancy Branch

