



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

<u>Dispute Codes</u>	Landlord:	OPC MNDC FF
	Tenant:	CNC MNR MNDC OLC RP LRE LAT RR SS O

Introduction

This hearing dealt with cross Applications for Dispute Resolution filed by the parties under the *Residential Tenancy Act* (the “Act”).

The Landlords’ Application was received at the Residential Tenancy Branch on April 18, 2017 (the “Landlords’ Application”). The Landlords applied for the following relief pursuant to the *Act*:

- an order of possession based on a One Month Notice to End Tenancy for Cause, dated March 30, 2017 (the “One Month Notice”);
- a monetary order for money owed or compensation for damage or loss; and
- an order granting recovery of the filing fee.

The Tenant’s Application was received at the Residential Tenancy Branch on March 31, 2017, as amended by an Amendment to an Application for Dispute Resolution, received at the Residential Tenancy Branch on April 7, 2017 (the “Tenant’s Application”). The Tenant applied for the following relief pursuant to the *Act*:

- an order cancelling the One Month Notice;
- a monetary order for the cost of emergency repairs;
- a monetary order for money owed or compensation for damage or loss;
- an order that the Landlords comply with the Act, regulation, or a tenancy agreement;
- an order requiring the Landlords to make repairs to the unit, site, or property;
- an order suspending or setting conditions on the Landlords’ right to enter the rental unit;
- an order authorizing the Tenant to change the locks to the rental unit;

- an order allowing the Tenant to reduce rent for repairs, services, or facilities agreed upon but not provided;
- an order allowing the Tenant to serve documents in a different way than required by the Act; and
- other unspecified relief.

The Landlords attended the hearing on their own behalves. The Tenant attended the hearing on his own behalf and was assisted by an advocate, S.W. All parties giving testimony provided a solemn affirmation.

Preliminary and Procedural Matters

At the outset of the hearing, it was communicated to the parties that I would be exercising my discretion under Rule of Procedure 2.3 to dismiss unrelated claims with or without leave to reapply. The only issue addressed during the hearing was whether or not the tenancy would continue. To their credit, the parties negotiated settlement of this issue, the terms of which are described below. However, the parties are granted leave to reapply for the remainder of the relief sought (unrelated to the end of the tenancy) at a later date, as appropriate.

Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised on numerous occasions that there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement, which would be documented in my Decision.

During the hearing, and after considerable discussion and negotiation, the parties agreed to settle this matter as follows:

1. The parties agree the tenancy will end on July 31, 2017, at 1:00 p.m.
2. The Landlords agree to withdraw the One Month Notice.
3. The Landlords agree the Tenant will not be required to make rent payments for the months of June and July 2017.

This settlement agreement was reached in accordance with section 63 of the Act. As the agreement was reached through negotiation, I decline to award recovery of the filing fee.

Conclusion

The parties are ordered to comply with the terms of the settlement agreement described above.

In support of the settlement, and with the agreement of the parties, the Landlords are granted an order of possession, which will be effective on July 31, 2017, at 1:00 p.m. The order of possession may be filed in 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: May 10, 2017

Residential Tenancy Branch