



# Dispute Resolution Services

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## Residential Tenancy Branch Office of Housing and Construction Standards

A matter regarding KENDALL PROPERTY MGT.  
and [tenant name suppressed to protect privacy]

### **DECISION**

#### Dispute Codes

MT CNC MNDC ERP RP LRE RR FF

This hearing was convened as a result of the Tenants' Application for Dispute Resolution, received at the Residential Tenancy Branch on June 7, 2017 (the "Application"). The Tenants applied for the following relief, pursuant to the *Residential Tenancy Act* (the "Act"):

- an order allowing more time to make an application to cancel a notice to end tenancy;
- an order cancelling a notice to end tenancy for unpaid rent or utilities;
- a monetary order for money owed or compensation for damage or loss;
- an order requiring the Landlord to make emergency repairs for health or safety reasons;
- an order requiring the Landlord to make repairs to the unit, site or property;
- an order setting or suspending conditions on the Landlord's right to enter the rental unit;
- an order allowing the Tenant to reduce rent for repairs, services or facilities agreed upon but not provided; and
- an order granting recovery of the filing fee.

The Tenant R.S. attended the hearing on behalf of the Tenants. He was accompanied by a lawyer, L.M., and a friend, K.M., who did not participate in the hearing. The Landlords were represented at the hearing by K.K. Also in attendance on behalf of the Landlords were W.S., A.P., and J.M. All parties giving evidence provided a solemn affirmation.

### Settlement

The opportunity for settlement was discussed with the parties during the hearing. The parties were advised 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, the parties agreed to settle this matter as follows:

1. The parties agree the tenancy will end on August 31, 2017, at 1:00 p.m.
2. The Tenants agree to vacate the rental unit no later than August 31, 2017, at 1:00 p.m.
3. The Tenants agree to pay the Landlords \$500.00 no later than August 31, 2017, at 1:00 p.m. (the "Settlement Payment").
4. The Tenants agree to withdraw the Application as part of this settlement agreement.

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

### 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, I grant the Landlord an order of possession, which will be effective on August 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.

In support of the settlement, and with the agreement of the parties, I grant the Landlord a monetary order in the amount of \$500.00, which will be of no force or effect if the Settlement Payment is made as set out above. The monetary order may be filed in and enforced as an order of the Provincial Court of British Columbia (Small Claims).

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: August 3, 2017

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Residential Tenancy Branch