



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNR

Introduction

A hearing was convened based on the tenant's application pursuant to s. 47(4) of the *Residential Tenancy Act* (the "Act") for cancellation of the landlord's 10 Day Notice to End Tenancy for Unpaid Rent or Utilities dated August 1, 2017 (the "10 Day Notice").

Both parties attended. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and had the opportunity to present their evidence orally and in written and documentary form, to make submissions, and to respond to the other party.

At the outset of the hearing I advised the parties of their option to have me assist in mediating an agreement with respect to this tenancy. I further advised that any agreement would be documented in my decision pursuant to section 63 of the Act. It was made clear to the parties that there was no obligation to resolve the dispute through settlement.

Settlement

Over the course of the hearing, the parties reached an agreement to settle this matter on the terms set out below.

1. The landlord withdraws the 10 Day Notice.
2. The tenant withdraws his application to dispute the 10 Day Notice.
3. The parties agree that the tenancy will end at **1:00 pm on August 31, 2017**.
4. The tenant agrees that he will pay the landlord rental arrears of \$3,150.00.

In support of this settlement and with the consent of the parties I issue an order of possession effective at 1:00 pm on August 31, 2017, and a monetary order against the tenant in the amount of \$3,150.00.

The security deposit will be dealt with in accordance with the Act.

Conclusion

This matter has been settled.

The parties are bound by the terms of the agreement set out above, 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.

Dated: August 24, 2017

Residential Tenancy Branch