



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding P & E Enterprises
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNDC, MNR, MNSD, FF

Introduction

This hearing was convened in response to an application by the Tenant pursuant to the *Residential Tenancy Act* (the “Act”) for Orders as follows:

1. An Order cancelling two notices to end tenancy - Section 46; and
2. An Order restricting the Landlord’s access - Section 70.

Both Parties attended the conference call hearing. At the onset, both Parties indicated their desire to reach an agreement to resolve the dispute and during the Hearing did reach a settlement agreement. The Parties confirmed at the end of the hearing that this agreement was made on a voluntary basis and that the Parties understood the nature of this full and final settlement of this matter.

Agreed Facts

Rent of \$795.00 is payable on the first day of each month. The Tenant owes arrears of \$2,890.00 to and including rent for April 2018.

Settlement Agreement

The Parties mutually agree as follows:

- 1. The Tenant will pay the monthly rent of \$795.00 for May 2018, by cash if the Landlord is available to receive the cash, or by money order placed in the Landlord’s lock box, no later than 5 p.m. on April 26, 2018;**

- 2. The Tenant will thereafter pay the monthly rent of \$795.00 on the first day of each month commencing June 2018;**
- 3. In addition to the monthly rent payable the Tenant will make payments on the arrears of \$2,890.00 commencing May 12, 2018 and biweekly thereafter as follows:**
 - \$350.00 on Saturday May 12, 2018**
 - \$350.00 on Saturday May 26, 2018**
 - \$350.00 on June 9, 2018**
 - \$350.00 on June 23, 2018**
 - \$350.00 on July 7, 2018**
 - \$350.00 on July 21, 2018**
 - \$350.00 on August 4, 2018**
 - \$350.00 on August 18, 2018; and**
 - \$90.00 as the final arrears payment on September 1, 2018;**
- 4. The Tenant withdraws its claim restricting the Landlord's access to the unit; and**
- 5. These terms comprise the full and final settlement of all aspects of this dispute for both Parties.**

Section 63 of the Act provides that if the parties settle their dispute during dispute resolution proceedings, the settlement may be recorded in the form of a decision or order. Given the mutual agreement reached during the Hearing, I find that the Parties have settled their dispute as recorded above. I order the Tenant to pay May 2018 rent and to make the arrears payments as set out in the above settlement agreement. The Landlord is at liberty to apply for an order of possession and a monetary order for unpaid rent if the Tenant breaches the settlement agreement by failing to make the arrears payments as set out in the settlement agreement.

Conclusion

The Parties have settled the dispute.

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: April 27, 2018

Residential Tenancy Branch