



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes

CNR, LRE, FF

### Introduction

This hearing convened as a result of a Tenants' Application for Dispute Resolution wherein they sought an Order canceling a 10 Day Notice to End Tenancy for Unpaid Rent or Utilities issued on February 3, 2018 (the "Notice") an Order restricting the Landlord's right to enter the rental unit and recovery of the filing fee.

Both parties appeared at the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties were provided the opportunity to present their evidence orally and in written and documentary form, and make submissions to me.

### Settlement and Conclusion

During the hearing the parties resolved matters by mutual agreement. The terms of their agreement is recorded in this my Decision and Order pursuant to section 63 of the *Residential Tenancy Act* and Rule 8.4 of the *Residential Tenancy Branch Rules of Procedure*. As the parties resolved matters by agreement I make no findings of fact or law with respect to their relative claims.

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.

The terms of their settlement follow.

### Settlement and Conclusion

1. By no later than 4:00 p.m. on April 20, 2018, the Tenants shall pay the sum of \$1,025.00 to the Landlords representing outstanding rent for January 2018.

2. In the event the above payment is made:
  - a. the Tenants shall be permitted to remain in the rental unit until 1:00 p.m. on May 31, 2018;
  - b. the Landlords are granted an Order of Possession effective 1:00 p.m. on May 31, 2018. The Landlords must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court; and,
  - c. the Tenants shall pay the May 2018 rent by no later than midnight on May 1, 2018.
3. Should the Tenants not pay the \$1,025.00 by 4:00 p.m. on April 20, 2018 as provided for in paragraph 1:
  - a. the tenancy shall end in accordance with the Notice.
  - b. in furtherance of this, the Landlords are granted an Order of Possession effective 2 days after service on the Tenants. The Landlords must serve the Order on the Tenants as soon as possible and may if necessary, file and enforce the Order in the B.C. Supreme Court; and,
  - c. the Landlords are granted a Monetary Order in the amount of \$1,025.00. The Landlords must serve this Order on the Tenants and my file and enforce it in the B.C. Provincial Court (Small Claims Division).

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 16, 2018

---

Residential Tenancy Branch