



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC, OLC, FFT

### Introduction

This decision pertains to the tenants' application for dispute resolution made on September 24, 2018, under the *Residential Tenancy Act* (the "Act"). The tenants sought to cancel a One Month Notice to End Tenancy for Cause, an order for the landlord to comply with the Act, and a monetary order for recovery of the filing fee.

One of the tenants, the landlord, and the landlord's interpreter attended the dispute resolution hearing before me on October 15, 2018, and were given a full opportunity to be heard, to present testimony, to make submissions and to call witnesses.

The parties did not raise any issues in respect of service.

### Settlement Agreement

After some discussion, the opportunity for settlement arose, and was discussed with the parties.

The parties were informed that while there was no obligation to resolve the dispute through settlement, I could assist the parties in reaching an agreement if they were desirous of such an approach.

Section 63 of the Act permits me to assist the parties or offer the parties an opportunity to settle their dispute. If the parties settle their dispute during the hearing, I record the settlement in the form of a decision or an order.

The parties agreed to settle this matter as follows:

1. The tenants agree to provide to the landlord five (5) post-dated cheques for monthly rent, those cheques being dated for November 15, 2018, December 15, 2018, January 15, 2018, February 15, 2018, and, March 15, 2018; and,
2. The tenants agree to provide the above-noted five cheques to the landlord on, or before, October 31, 2018, and that the landlord is to receive these cheques no later than October 31, 2018.

As the outcome was achieved through negotiation, I decline to award recovery of the filing fee to the tenants.

The tenancy continues. However, as I notified the parties at the end of the settlement discussions, should the tenants not comply with this agreement, the tenancy will end. Further, should any of the post-dated cheques be returned NSF, this will be considered non-payment of rent, at which point the landlord may issue a 10 Day Notice to End Tenancy for Unpaid Rent

#### Conclusion

I order the parties to comply with the terms of the settlement agreement as set out above.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under section 9.1(1) of the Act.

Dated: October 15, 2018

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Residential Tenancy Branch