



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR ERP FFT LRE OLC PSF**

Introduction

This is an application by the tenant under the Residential Tenancy Act (the “Act”) for the following:

- An order cancelling a 10 Day Notice to End Tenancy for Unpaid Rent (“Ten-Day Notice”) pursuant to section 46(4);
- An order for emergency repairs pursuant to section 62;
- An order to suspend or restrict the landlord’s right to enter pursuant to section 70;
- An order requiring the landlord to comply with the Act, regulation and tenancy agreement pursuant to section 62;
- An order requiring the landlord to provide services of facilities as required by the tenancy agreement or law pursuant to section 61.

Both tenants (“the tenant”) and both landlords (“the landlord”) attended the hearing. Both parties were given the opportunity to make submissions as well as present affirmed oral and written evidence.

Before the conclusion of this hearing, the parties discussed the issues between them, engaged in a conversation, turned their minds to compromise, and achieved a resolution of their dispute.

Pursuant to section 63 of the Act, the Arbitrator may assist the parties to settle their dispute and if the parties do so during the dispute resolution proceedings, the settlement may be recorded in the form of a Decision or an Order. Given the agreement reached between the parties during the proceedings, I find that the parties have settled their dispute and the following records this settlement as a Decision.

The Parties mutually agree as follows:

- The parties agree that this tenancy will end on November 10, 2018 at 1:00 PM at which time the tenant and all occupants will have vacated the unit;
- The tenant withdraws the tenant's application without leave to reapply;
- Any security deposit held by the landlord will be dealt with according to the *Act* at the end of the tenancy;
- The parties agree the scheduled application by the landlord to which reference is made on the first page of this decision is withdrawn by the landlord with the consent of the tenant with leave to the landlord to reapply.

The parties are still bound by all the rights, responsibilities, terms and conditions of the tenancy agreement, the *Act*, and the associated regulations.

Both parties testified that they understood and agreed that the above terms are final, binding, and enforceable, and settle all aspects of this dispute.

Based on the above, I find that all matters between these parties raised in this application are resolved pursuant to the above agreed terms.

To give effect to the settlement reached between the parties, I issue to the landlord the attached order of possession effective 1:00 PM on November 10, 2018 which must be served upon the tenant, should the tenant fail to vacate the unit.

Should the tenant fail to comply with this order, this order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

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: October 19, 2018

Residential Tenancy Branch