



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes **CNR FFT (tenant); FFL MNDCL-S MNRL-S OPR (landlord)**

Introduction

This hearing dealt with 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 reimbursement of the filing fee pursuant to section 72.

This hearing also dealt with an application by the landlord under the Residential Tenancy Act (the *Act*) for the following:

- An order of possession pursuant to section 47;
- A monetary order for damage or compensation and outstanding rent pursuant to section 67;
- Authorization to apply the security deposit to a monetary order pursuant to section 72;
- An order for reimbursement of the filing fee pursuant to section 72.

Both parties appeared and were given the opportunity to make submissions as well as present affirmed oral and written evidence.

Each party acknowledged receipt of the other party’s Notice of Hearing and Application for Dispute Resolution. I find each party served under section 89 of the Act.

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 testified the tenant has vacated the unit; accordingly, each party withdraws all claims without leave to reapply.

These terms comprise the full and final settlement of all aspects of this dispute for both parties.

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

Based on the above, I accept that all matters between these parties raised in this application are resolved.

Conclusion

All claims of each party are dismissed without leave to reapply.

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 25, 2018

Residential Tenancy Branch