



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding LUMA NATIVE /BCH HOUSING
SOCIETY and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes CNR, FF

Introduction

This hearing was convened as a result of the Tenants' Application for dispute resolution under the *Residential Tenancy Act* (the "Act"). The Tenants applied to cancel a 10 Day Notice for Unpaid Rent or Utilities (the "10 Day Notice") dated December 13, 2018, and for recovery of the filing fee.

The Tenant C.E., the Landlord's agent D.M. as well as the Landlord's representative M.U. attended the hearing. The parties gave affirmed testimony, were provided the opportunity to present their evidence orally and in documentary form prior to the hearing, and make submissions to me.

Settlement Agreement

The opportunity for settlement was discussed with the parties during the hearing. During the hearing, the parties agreed to settle this matter, on the following conditions:

1. The Landlord has requested the Tenants provide adequate confirmation of income to the satisfaction of the Landlord in order to qualify for subsidized housing. This must be done on or before February 15, 2019.
2. The Landlord agrees to cancel the 10 Day Notice dated December 13, 2019, once all confirmation of income is provided by the Tenants to the Landlord.
3. Should the Tenants fail to provide such confirmation to the satisfaction of the Landlord on or before February 15, 2019, the parties agree that the tenancy will end at 1:00 p.m. on February 16, 2019. The Landlord is provided with an Order of Possession effective **February 16, 2019, at 1:00 p.m.**
4. The Tenant agrees to pay rent when it is due under the tenancy agreement.

This settlement agreement was reached in accordance with section 63 of the *Act*.

The parties were advised there is no obligation to resolve the dispute through settlement, but that I could assist the parties to reach an agreement. I indicated on several occasions that if either party did not wish to resolve this matter through a mutually agreed settlement, I was prepared to hear their evidence and make a decision.

Conclusion

I order the parties to comply with the terms of their mutually settled agreement described above.

The Landlord has been granted an order of possession effective February 16, 2019, at 1:00 p.m. This order must be served on the Tenants as soon as possible, and may be filed in the Supreme Court of British Columbia and enforced as an order of that Court.

This decision is final and binding on the parties, unless otherwise provided under the Act, and 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: February 6, 2019

Residential Tenancy Branch